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250 YEARS *of* BLACKSTONE'S COMMENTARIES

An Exhibition

March – May 2015:

Lillian Goldman Law Library, Yale Law School

September – November 2015:

Middle Temple Library, London

December 2015 – February 2016:

Sir John Salmond Law Library, University of Adelaide



Frontispiece from William Blackstone, *Commentaries on the Laws of England* (Oxford: Clarendon Press, 1775), volume 1. Engraving by John Hall, from a portrait by Thomas Gainsborough.

250 YEARS *of* BLACKSTONE'S COMMENTARIES

An Exhibition

Curated by

Wilfrid Prest

University of Adelaide

Michael Widener

Lillian Goldman Law Library, Yale Law School

Buffalo, N.Y.: William S. Hein & Co., Inc., 2015

IN MEMORY OF

Ann Jordan Laeuchli
(1927 - 2014)

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Rear cover illustration: bookplate of Sir William Blackstone,
in Geoffrey Gilbert, *An Historical View of the Court of*
Exchequer (London, 1738), William Blackstone
Collection, Yale Law Library.

Designed and typeset in Yale typeface by Michael Widener.

FOREWORD

BLACKSTONE'S *Commentaries* is one of the most important treatises ever written in the English language, by perhaps the foremost figure in Anglo-American law. William S. Hein & Co., Inc. is proud to publish this exhibition catalog commemorating "250 Years of Blackstone's *Commentaries*" to accompany the Yale Law Library's traveling Blackstone exhibit.

We at the Hein Company are great aficionados of old, significant, and rare legal treatises, as witnessed by our long-term reprint program and by the Legal Classics and other libraries in HeinOnline, where books dating back to the 1500s can be found. Seeing the illustrations that have been reproduced here is a real pleasure.

KEVIN M. MARMION
President, William S. Hein & Co., Inc.

250 Years of Blackstone's *Commentaries*: INTRODUCTION

AMONG A PLETHORA of notable anniversaries (Magna Carta, the Fourth Lateran Council, the ANZAC landing at Gallipoli), the year 2015 also marks two and a half centuries since William Blackstone's *Commentaries on the Laws of England* first appeared in print. Without entering into invidious comparisons, it is clear that publication of Book I of the *Commentaries* in mid-November 1765 was a notable event, and seen as such at the time. Reviewers were unanimous in their praise and by February the first printing was almost exhausted. Over the next three years a further three volumes appeared, each to similar critical acclaim. Yet Blackstone's views and opinions were not universally welcomed. Thus his treatment of Protestant Non-conformity in Book IV aroused a storm of protest from prominent Dissenters, including Joseph Priestley, who nevertheless admitted that while his own critique would soon be forgotten, "your 'Commentaries on the Laws of England' will probably last as long as the laws themselves."

So far Priestley has proved right. In her massive *Bibliographical Catalog of William Blackstone*, published for the Yale Law Library by William S. Hein & Co. to coincide with the 250th anniversary of the *Commentaries*, the late Ann Laeuchli lists the details of 55 English and Irish and no fewer than 139 American editions produced between the 1760s and the first decade of the present century. This is to say nothing of abridgments, extracts, translations, and adaptations of the *Commentaries*. As William G. Hammond

wrote in the introduction to his 1890 edition, “No writer, who has yet appeared, can be placed in comparison with Blackstone for his influence on the law of the mother country, or her American offspring, to say nothing of the commonwealths on both sides of the Pacific that had no existence when Blackstone wrote.”

This exhibition illustrates the origins of Blackstone’s *Commentaries* and the ways it was published, marketed, studied, debated, disseminated, appropriated, and satirized over the last 250 years. All the items come from the Yale Law Library’s William Blackstone Collection. From the collection’s origin in 1907 as a gift of 293 volumes from Yale alumnus Macgrane Coxe, it has quadrupled in size to become the world’s largest collection of works by and about Blackstone. This collection does more than facilitate research. Its sheer size and the physical evidence of its use enable one to appreciate Blackstone’s impact on legal publishing, legal education, politics, and popular culture in ways that bibliographies or online databases never can.

We are grateful to William S. Hein & Co. for sponsoring the publication of this catalogue.

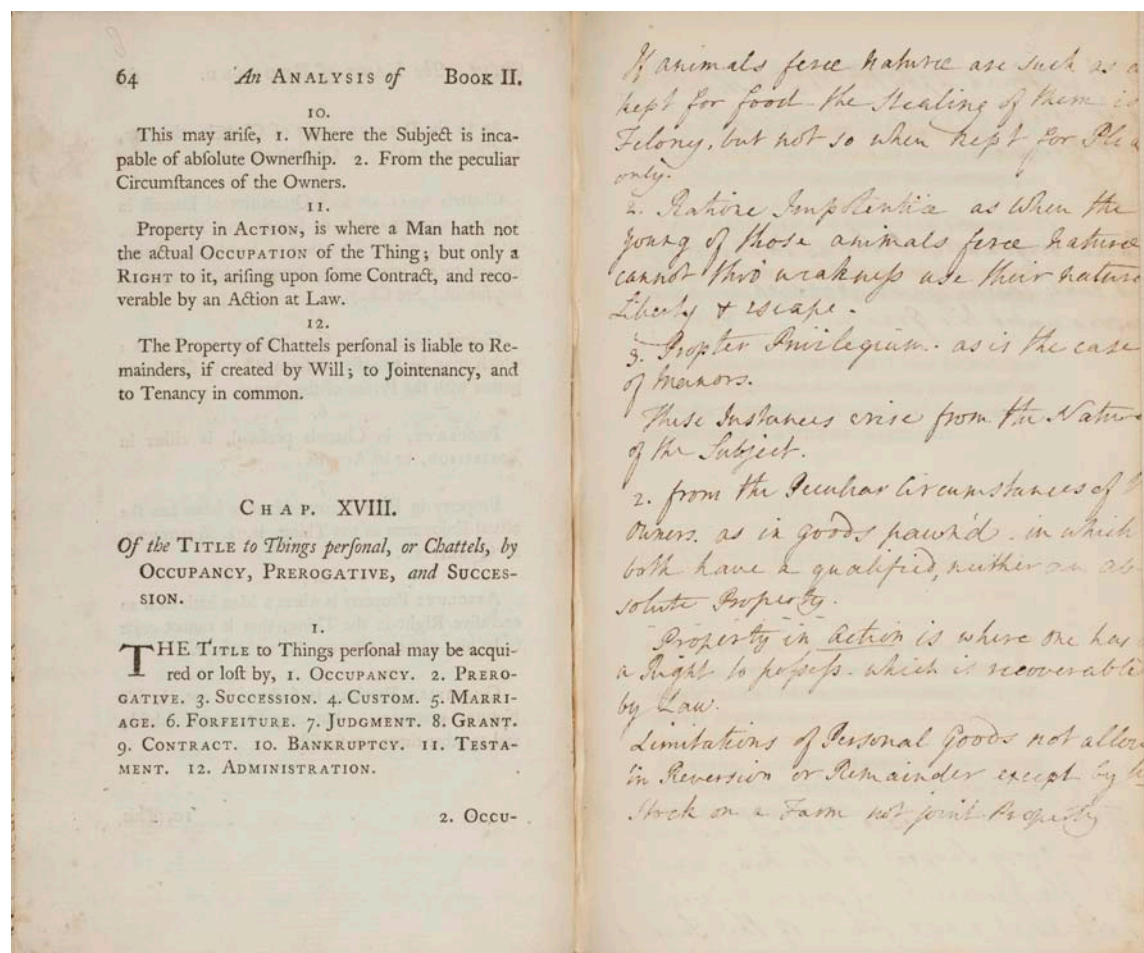
WILFRID PREST
University of Adelaide

MICHAEL WIDENER
Yale Law Library

250 Years of Blackstone’s *Commentaries*: ROOTS OF THE COMMENTARIES

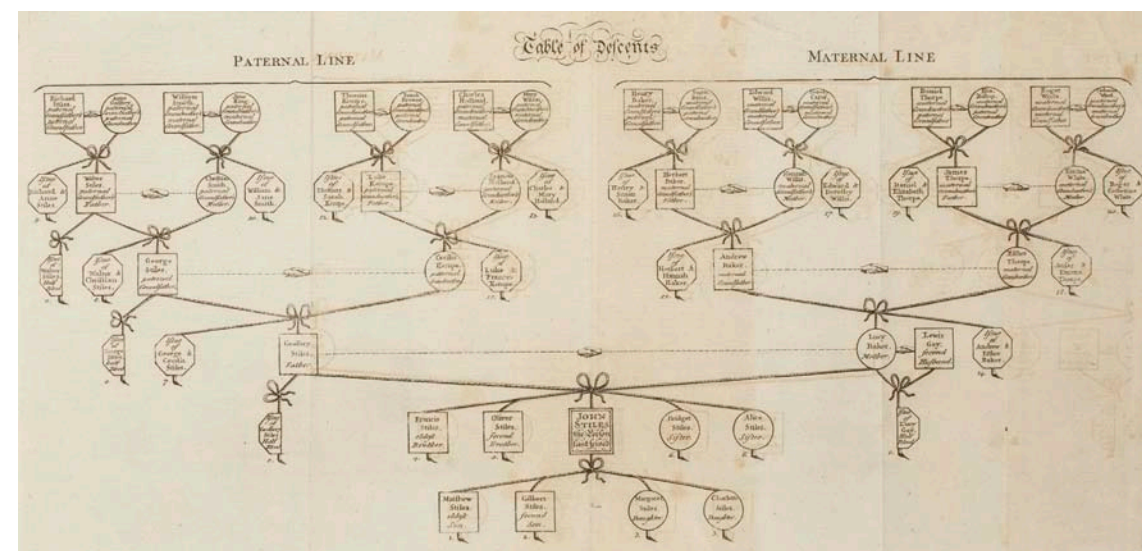
O let me pierce the secret shade
Where dwells the venerable maid!
There humbly mark, with rev’rent awe,
The guardian of Britannia’s Law,
Unfold with joy her sacred page,
(Th’ united boast of many an age,
Where mix’d, yet uniform, appears
The wisdom of a thousand years)

— William Blackstone (1723-1780), “The Lawyer’s
Farewell to his Muse, Written in the Year 1744”



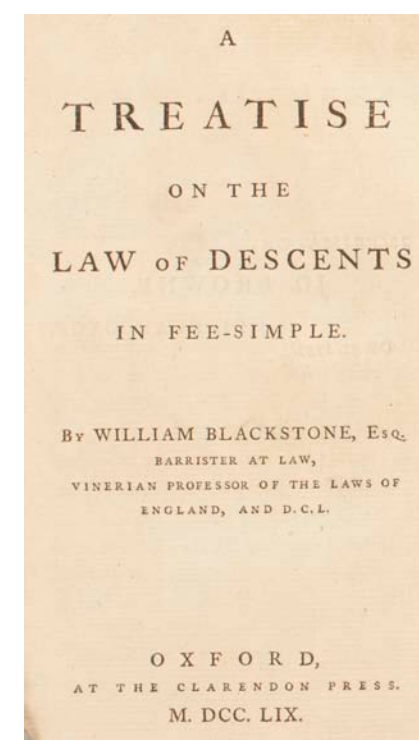
William Blackstone. *An Analysis of the Laws of England*. Oxford: Clarendon Press, 1756.

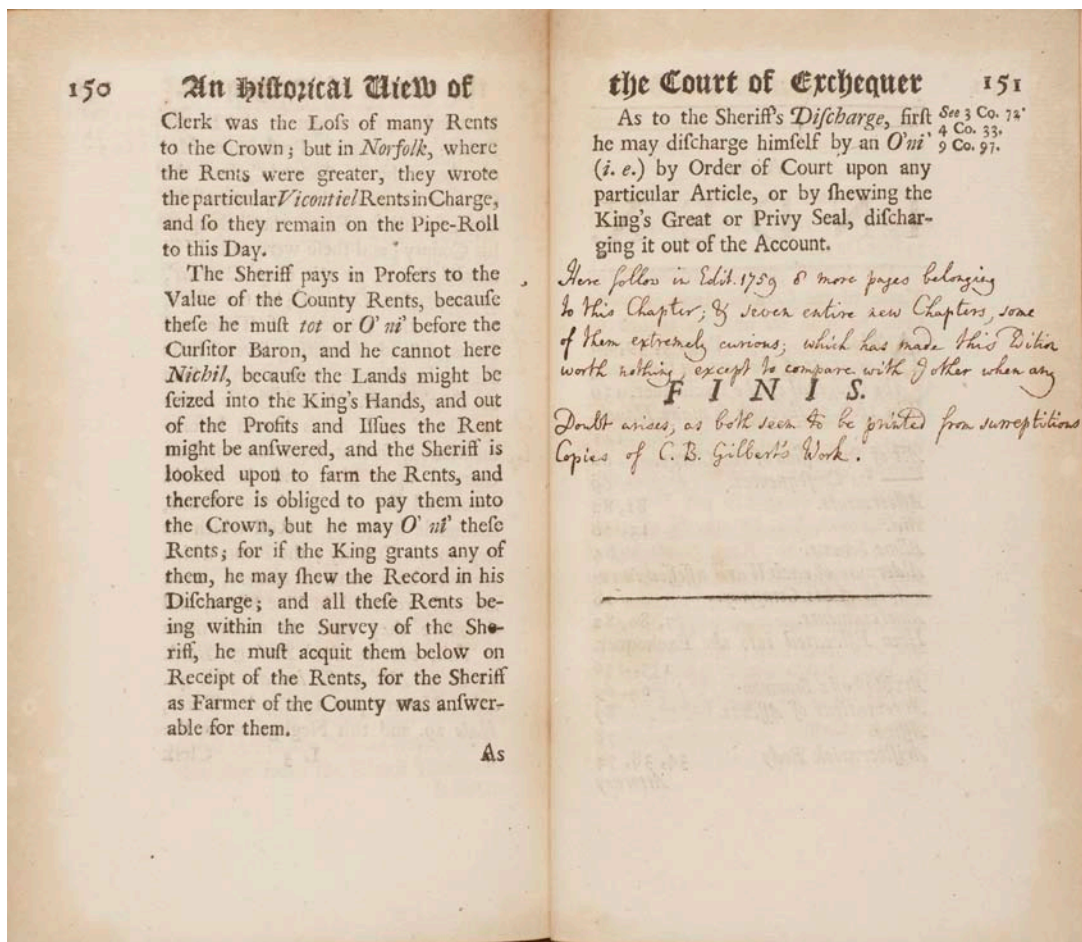
The *Commentaries on the Laws of England* began as lectures at Oxford University in 1753. Blackstone's innovative addition to the traditional Roman law syllabus included a printed course outline, here bound up with blank pages for reader's notes. This copy is from the collection of Anthony Taussig, who believes the notes may be by a student who attended Blackstone's lectures.



William Blackstone. *A Treatise on the Law of Descents in Fee-Simple*. Oxford: Clarendon Press, 1759.

Prepared to assist his Oxford students, this outline of a complex but central branch of land law forms the basis of two chapters in Book II of the *Commentaries*, together with the graphic "Table of Descents," which in turn was recycled from Blackstone's earlier *Essay on Collateral Consanguinity* (1750).





Geoffrey Gilbert. *An Historical View of the Court of Exchequer, and of the King's Revenues, There Answered*. London: E. and R. Nutt, and R. Gosling, (assigns of Edward Sayer Esq.) for T. Waller, 1738. From the library of Sir William Blackstone, with his bookplate and annotations.

Blackstone frequently annotated items in his extensive book collection. This holograph addendum notes differences between the two unauthorized posthumous editions of a treatise derived from manuscripts left by Sir Geoffrey Gilbert, Chief Baron of the Exchequer (1674-1726):

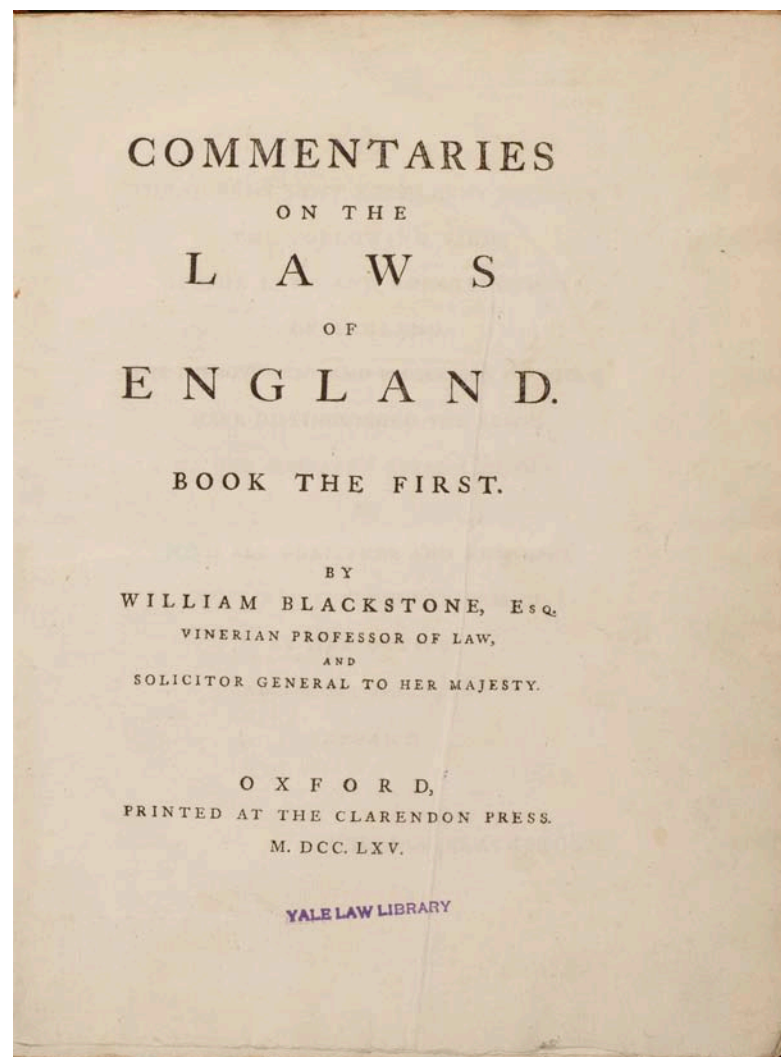
"Here follow in Edit. 1759 8 more pages belonging to this Chapter; & seven entire new Chapters, some of them extremely curious; which has made this Edition worth nothing, except to compare with the other when any Doubt arises, as both seem to be printed from surreptitious Copies of C. B. Gilbert's Work."

250 Years of Blackstone's *Commentaries*: BIRTH OF THE COMMENTARIES

This valued Book, so much in use,
Was penned by Justice Blackstone,
To remedy each law-abuse
Throughout the English nation.

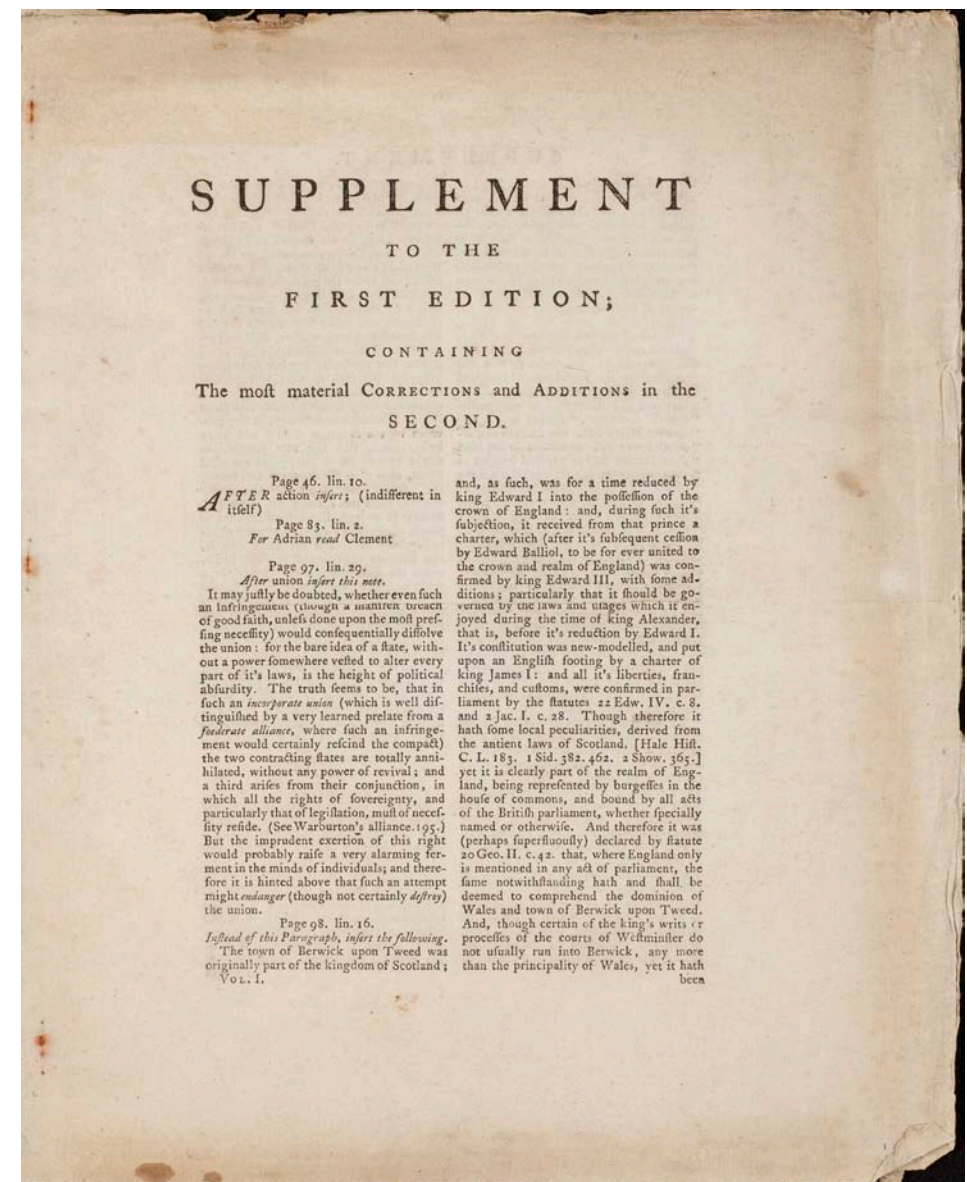
And well it merits fame immense,
For neat and simple diction,
For mighty thoughts and sterling sense,
And truth bereft of fiction.

— Anonymous; written on the endpapers of Blackstone's *Commentaries* (Worcester, Mass.: Isaiah Thomas, 1790), vols. 3 & 4. William Blackstone Collection, Yale Law Library.



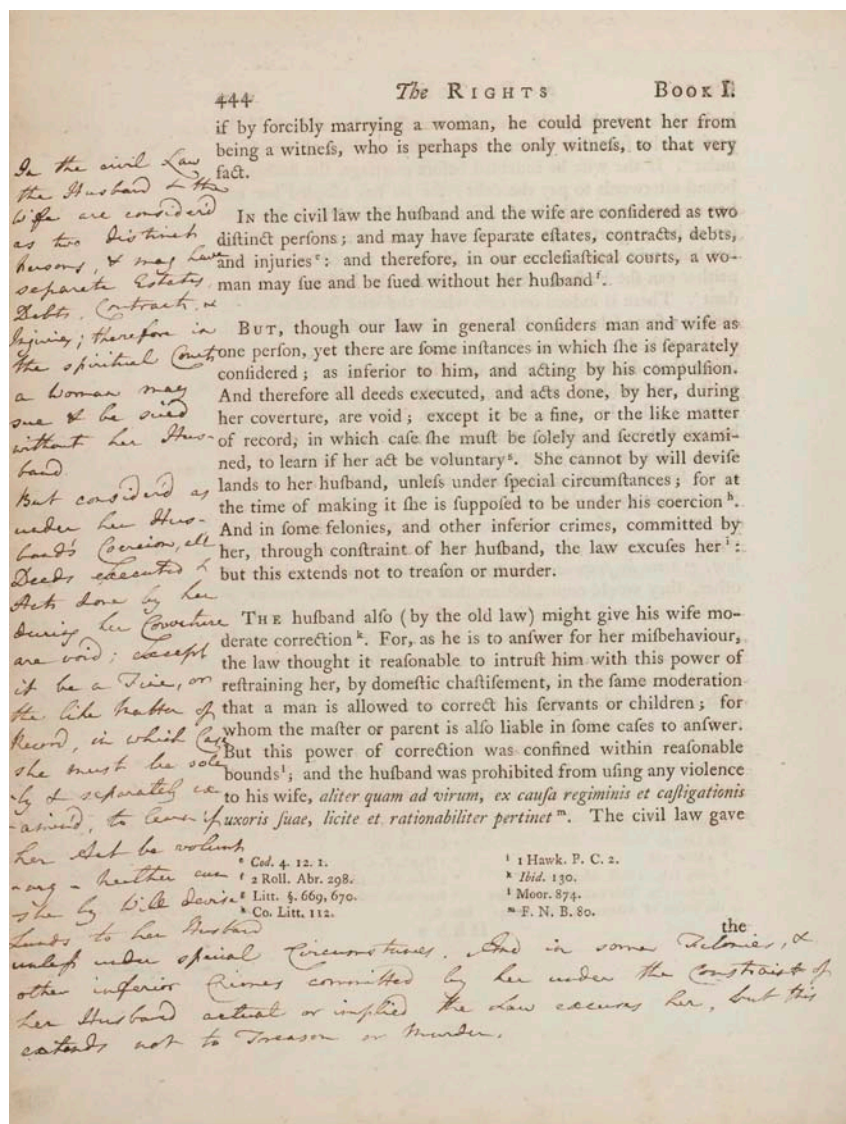
William Blackstone. *Commentaries on the Laws of England*. Oxford: Clarendon Press, 1765-1769. Volume 1 (1765) of 4.

The first volume of the *Commentaries on the Laws of England* appeared on 18 November 1765. Although produced at Oxford University's printing house, it was a self-published venture. The initial 1500 copies sold out within three months. The spectacular success of the *Commentaries* reflected Blackstone's literary and rhetorical skill in reshaping the common law's messy technicalities into a coherent and rational body of knowledge.



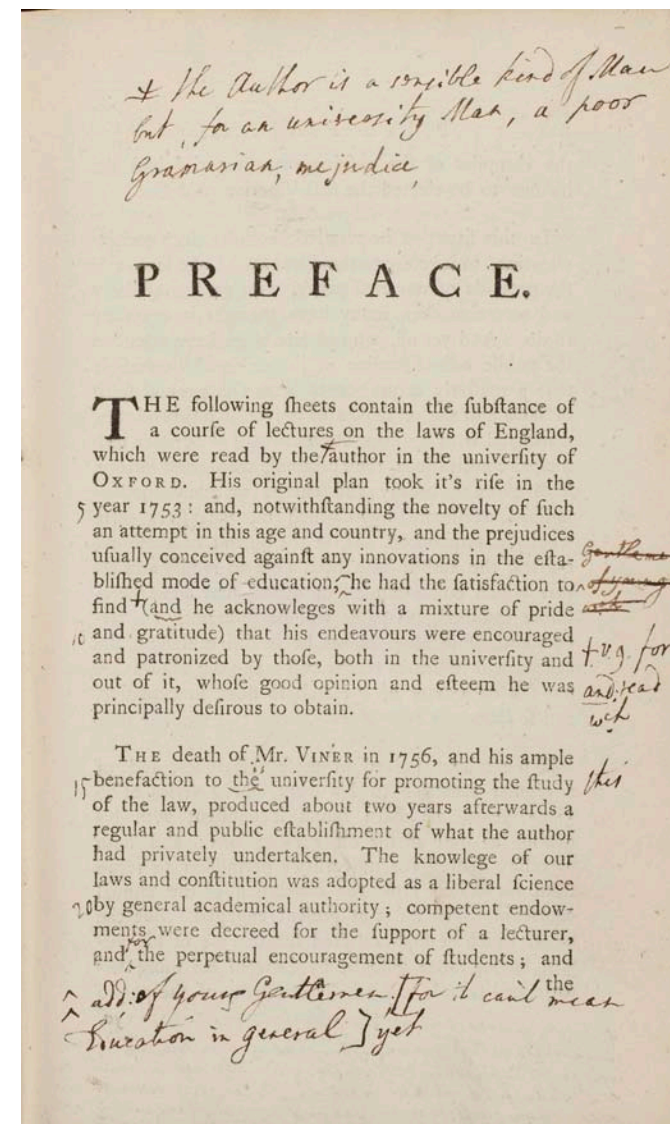
William Blackstone. *Supplement to the First Edition: Containing the Most Material Corrections and Additions in the Second*. [Oxford?, 1766?]

His book was no sooner published than Blackstone began revising. This separate *Supplement* to Book I lists changes which would be incorporated in the second edition (November 1766). Following the Stamp Act crisis, these include new emphasis on colonial subordination to "the imperial crown and parliament of Great Britain."



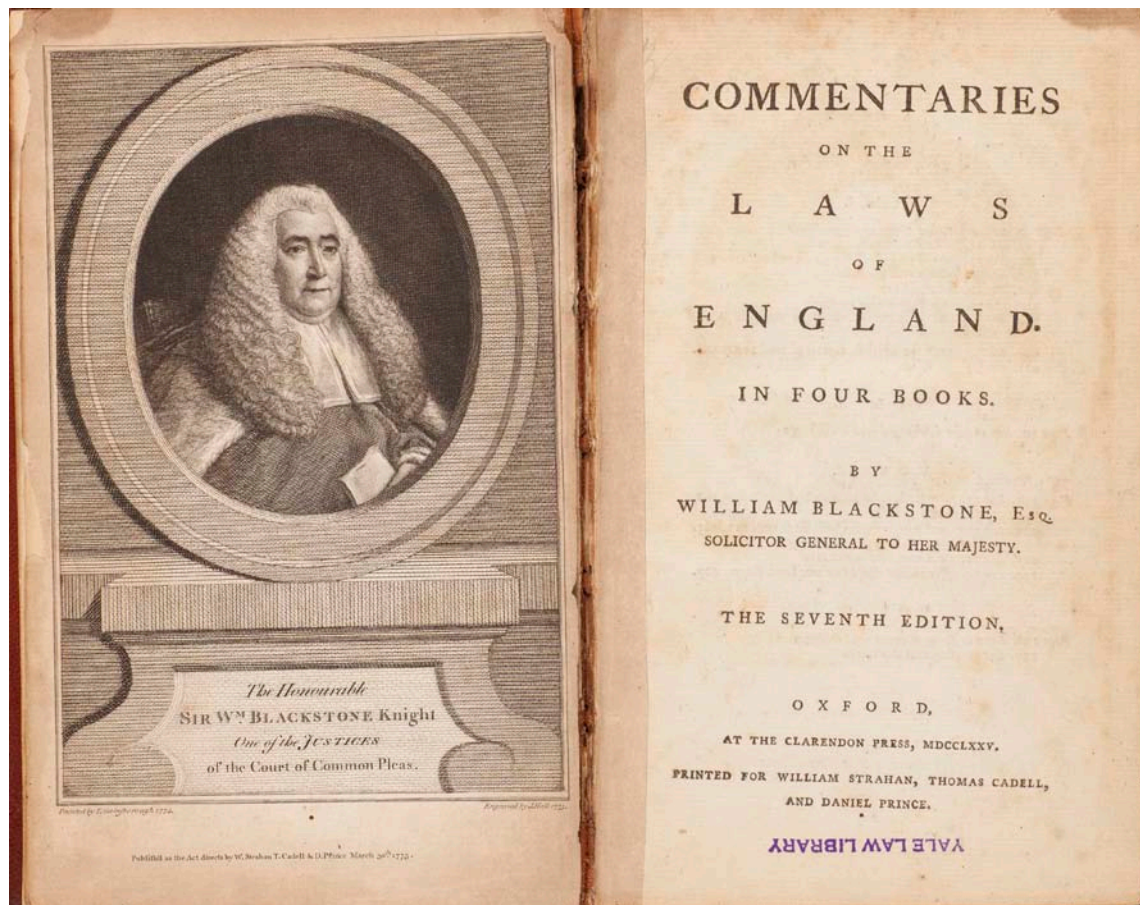
William Blackstone. *Commentaries on the Laws of England*. 2nd edition. Oxford: Clarendon Press, 1766. Volume 1 of 2.

In one of his most influential chapters, heavily annotated by a contemporary reader, Blackstone expounds the legal relationship between husband and wife in terms of “unity of person.” Wives’ dependent status derived from prior consent to the civil contract of marriage. They were not the husband’s property and marital violence among “the lower rank” was a hangover from the “old common law.”



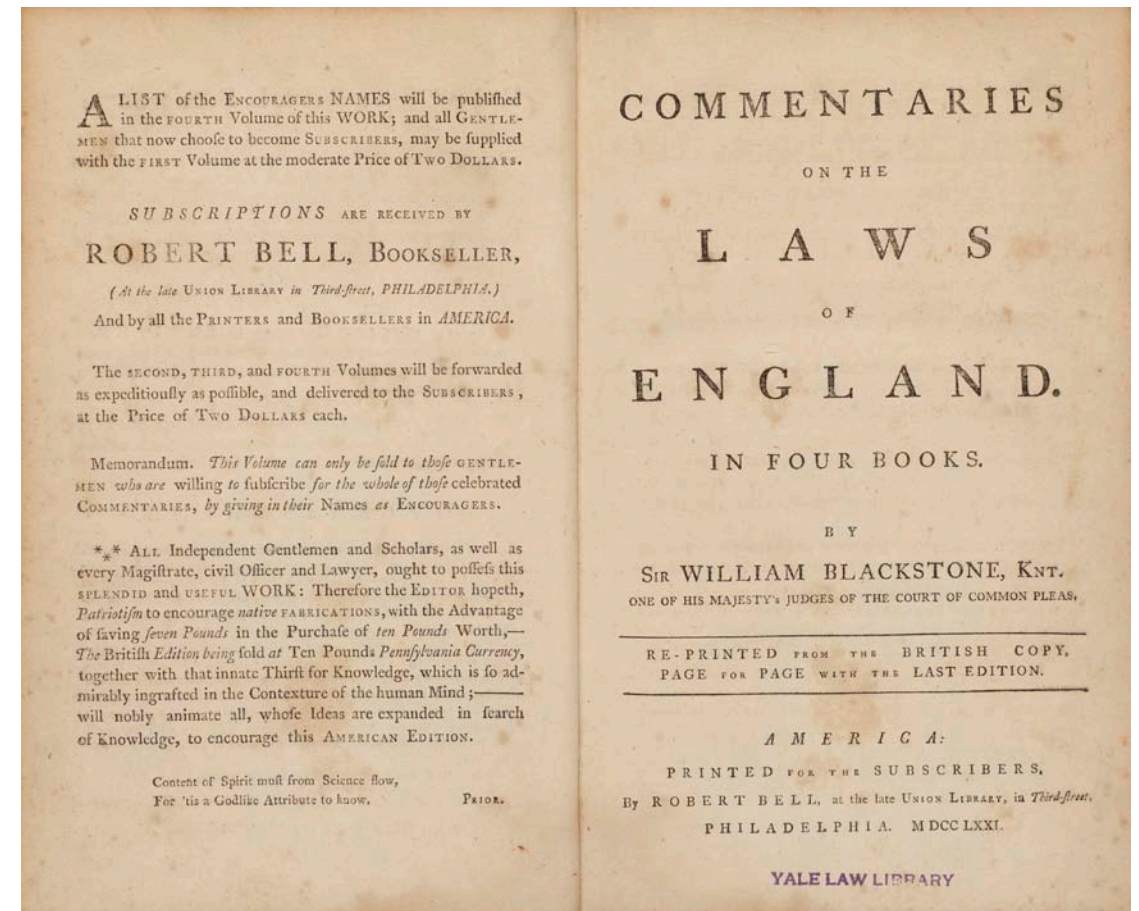
William Blackstone. *Commentaries on the Laws of England*. Dublin: Printed for John Exshaw, Henry Saunders, Samuel Watson, and James Williams, 1766-1770. Volume 1 (1766) of 4.

“Pirated” (or reprinted) books produced outside England were generally cheaper than the copyrighted original. This, the first such edition of the *Commentaries*, is also the first in a smaller (octavo) format. An early owner contributed the patronizing annotation: “The Author is a sensible kind of Man, but for an university Man, a poor Grammarian, me judice [in my view].”



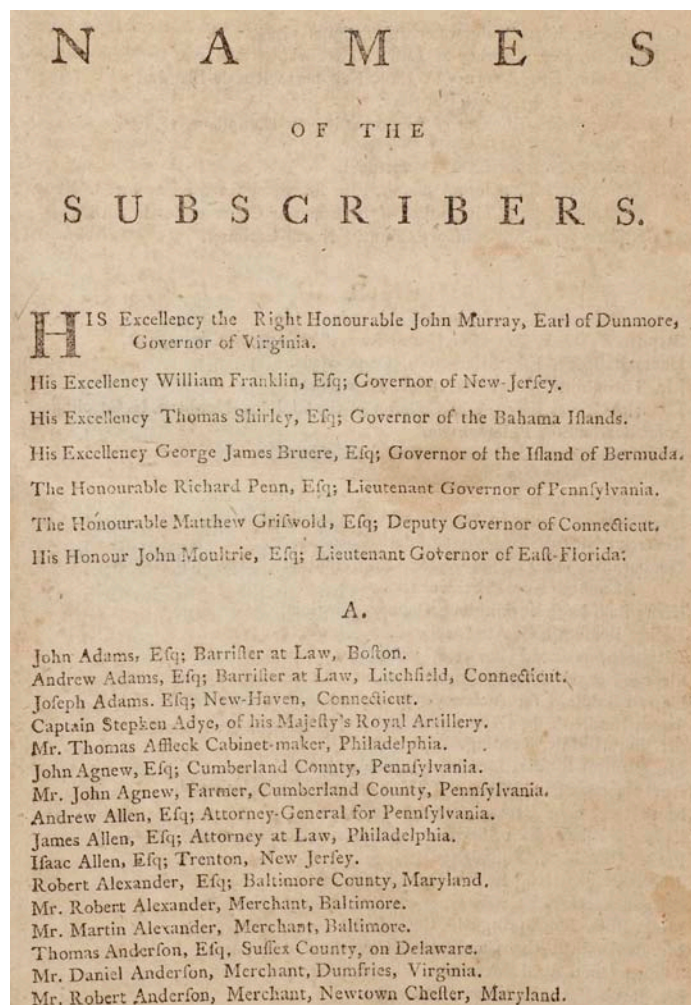
William Blackstone. *Commentaries on the Laws of England*. 7th edition. Oxford: Clarendon Press, printed for William Strahan, Thomas Cadell, and Daniel Prince, 1775. Volume 1 of 4.

In 1772 Blackstone sold his copyright to a consortium of London and Oxford booksellers for the then huge sum of £2,000. Their 1775 Oxford-printed edition was the first to incorporate a copperplate engraving by John Hall, based on Blackstone's portrait by Thomas Gainsborough completed in 1774, now held by Tate Britain, London.



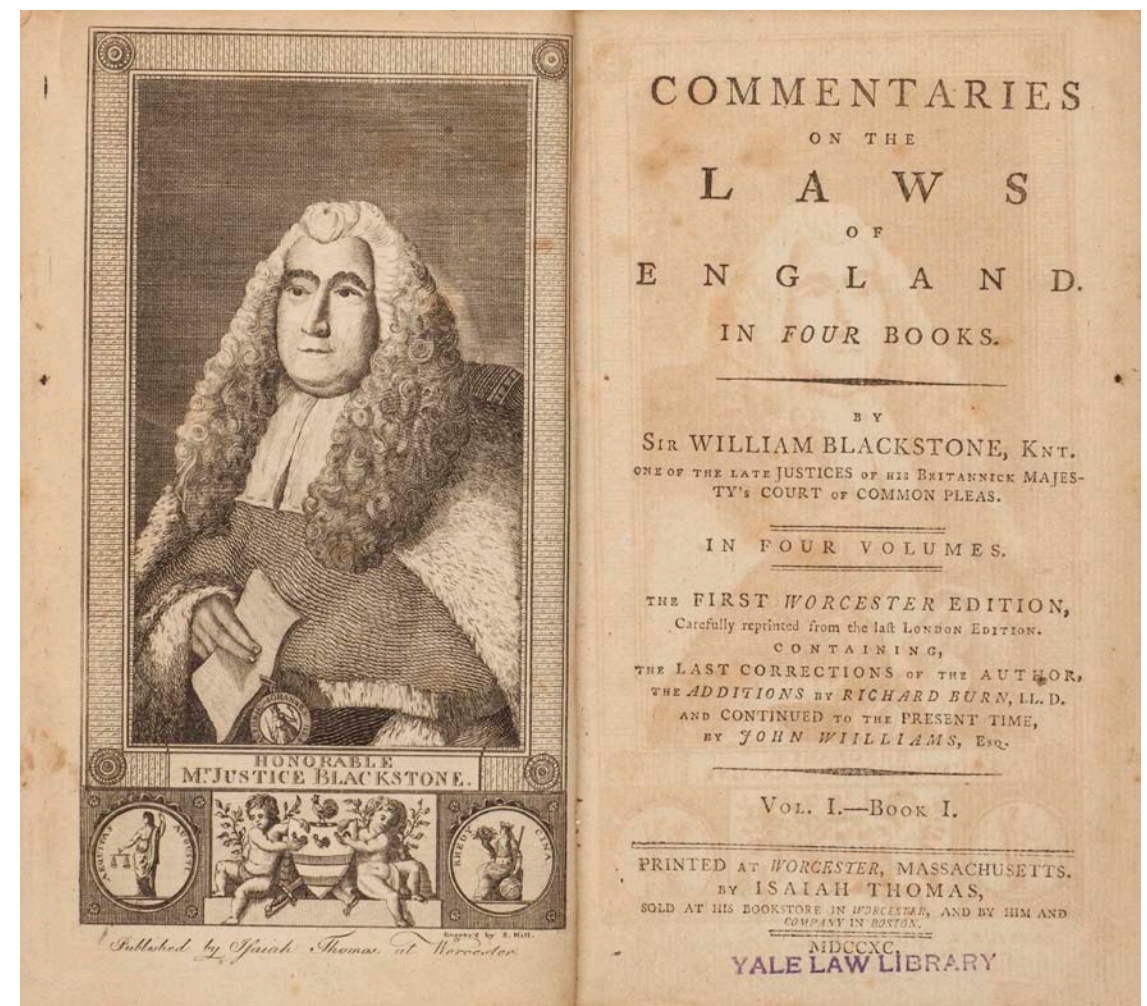
William Blackstone. *Commentaries on the Laws of England*. [Philadelphia, Pa.] America: Printed for the subscribers, by Robert Bell, 1771-1772. Volume 1 (1771) of 4.

The first American edition was produced on a subscription basis by the enterprising Robert Bell (1732?-1784), who had emigrated from Scotland to Philadelphia, where he established a very active bookselling and publishing business. In soliciting subscriptions to the entire four-volume set, Bell appealed to both patriotic altruism and thriftiness.



William Blackstone. *Commentaries on the Laws of England*. [Philadelphia, Pa.] America: Printed for the subscribers, by Robert Bell, 1771-1772. Volume 4 (1772) of 4.

This fourth volume of Bell's first edition, published in 1772, contains a tipped-in advertisement for a projected quarto edition (of which only one volume appeared), together with the subscription list. This list shows a total of 1,557 sets ordered by 840 American subscribers, including 16 future signatories to the Declaration of Independence, one future President (John Adams) and the father of John Marshall, later chief justice of the Supreme Court. Several booksellers, printers, and merchants placed large orders, the largest for 200 sets by "Mr. James Rivington, Bookseller, New-York."



William Blackstone. *Commentaries on the Laws of England*. First Worcester edition. Worcester, Mass.: Isaiah Thomas, 1790. Volume 1 of 4.

Blackstone's personal opposition to American independence did not curb demand for the *Commentaries* across the Atlantic before or after his death in 1780. A selling point for this 1790 Massachusetts imprint was its fidelity to the latest English editions. Samuel Hill's engraved portrait frontispiece is a crude copy of a later engraving of the Gainsborough portrait, also by John Hall.

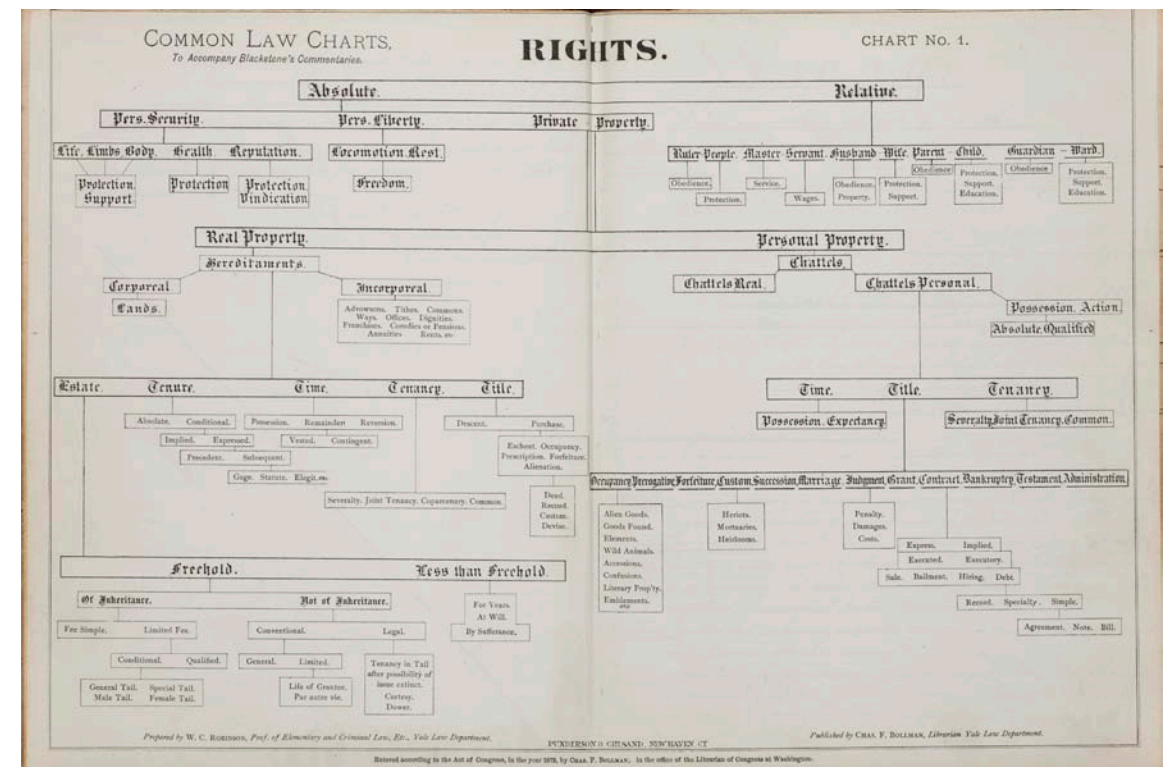
250 Years of Blackstone's *Commentaries*: COMMENTARIES IN THE CLASSROOM

I sometimes on the lasses look,
Sometimes hurrah for Jackson!
Sometimes I read a musty book
Compiled by old Judge Blackstone.

- Josiah Scott (1803-1879), in R. C. Colmery,
A Memoir of the Life and Character of Josiah Scott
(Columbus, Ohio, 1881)

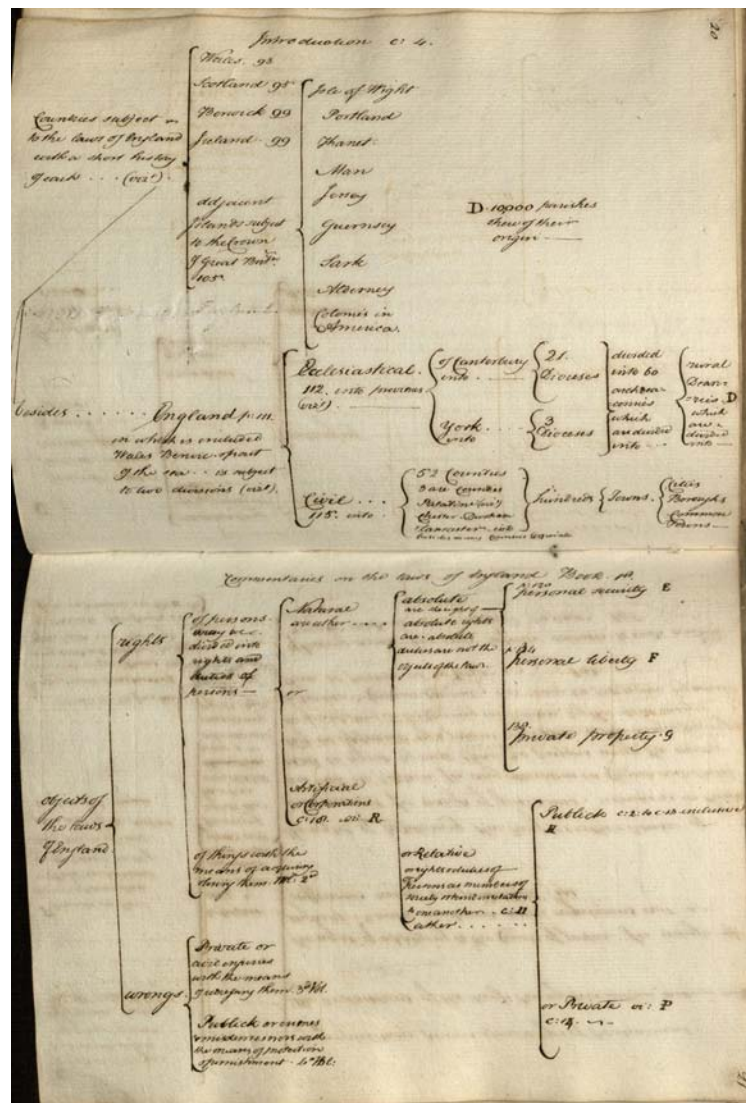
In Blackstone there is much, I own,
Well worthy of regard;
But then, my boy, like other stones,
You'll find him precious hard!

- John Godfrey Saxe (1816-1887), “Advice to a Young
Friend, Who Thinks He Should Like to Be a Lawyer”



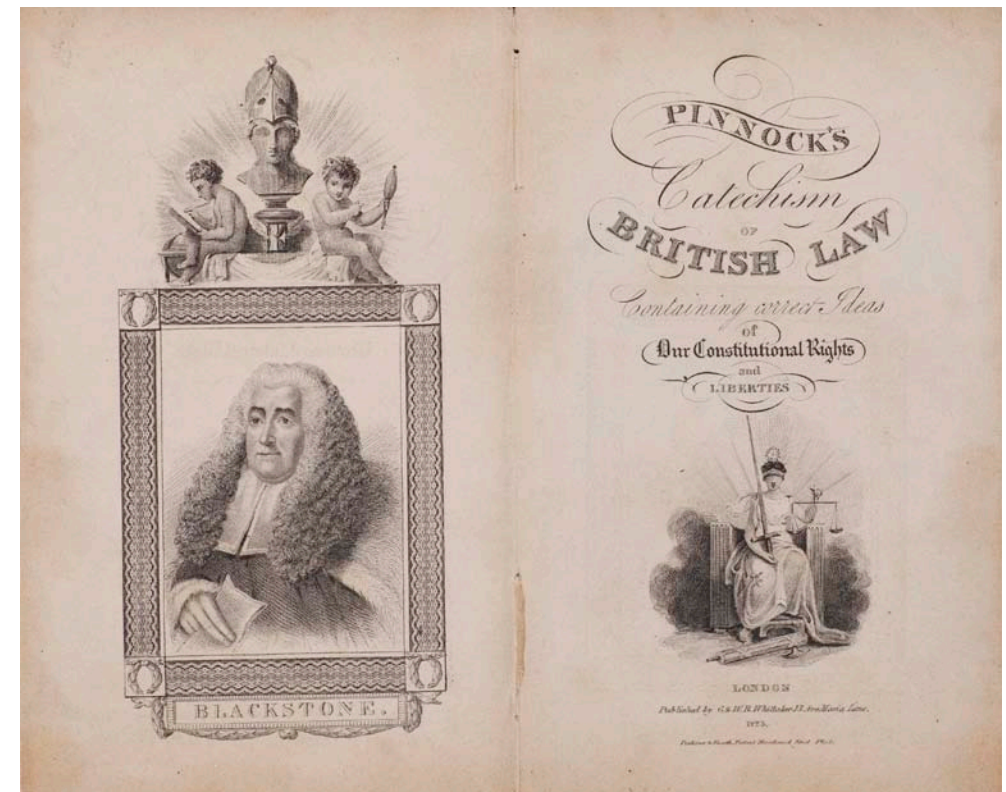
William C. Robinson. *Common Law Charts to Accompany Blackstone's Commentaries*. New Haven, Conn.: Punderson & Crisand, 1872.

Across the nineteenth-century common-law world, the *Commentaries* served as both an introduction to legal studies and required reading for candidates seeking admission to practice. Visual aids designed to help students master Blackstone and prepare for professional examinations on his text were thus much in demand. This chart is from a set of three (“Rights,” “Wrongs,” and “Remedies”) authored by Professor William C. Robinson (1834-1911) of the Yale Law Department, and bound with the lecture notes of Charles F. Bollman, the student who as law librarian prepared the charts for publication.



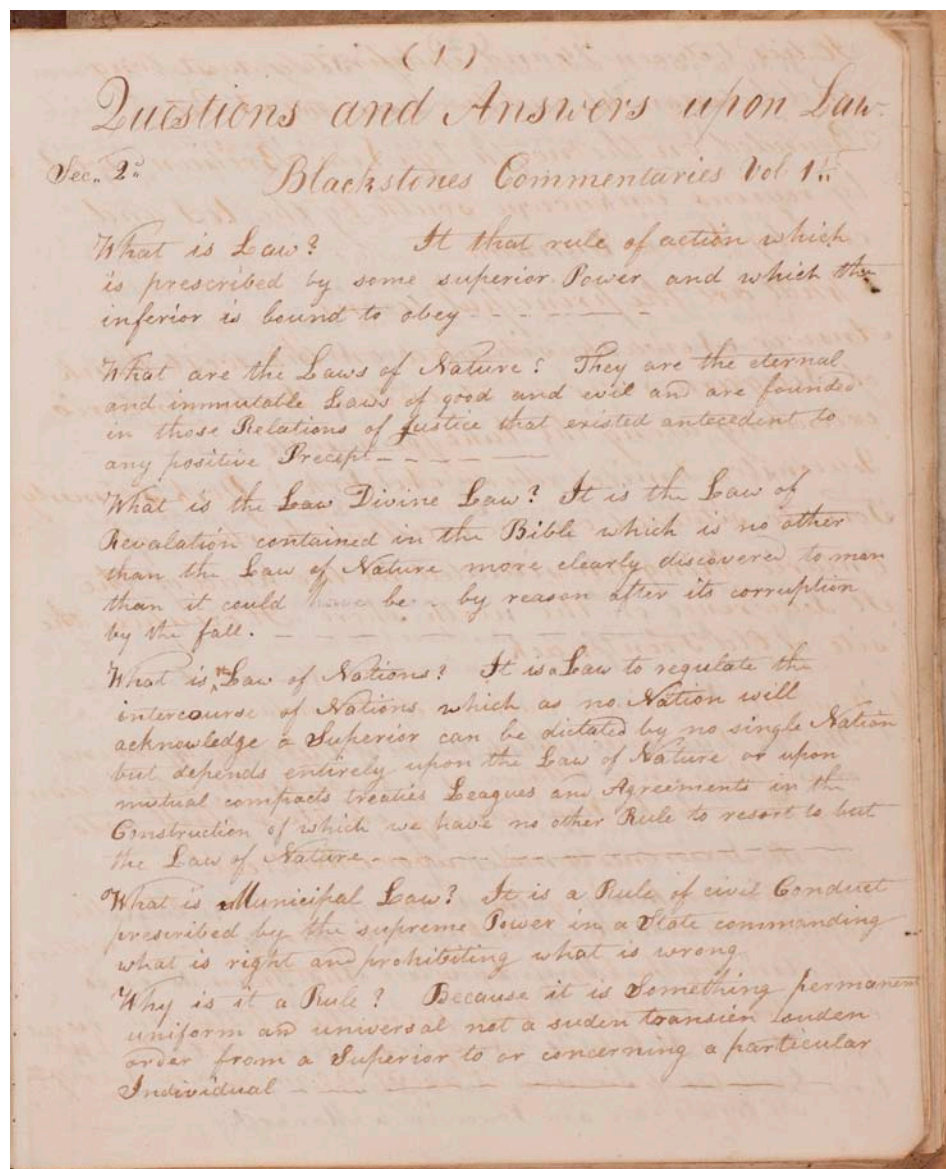
Ralph Barnes. "Analysis of Blackstone's Commentaries, 1797." Manuscript, 1797-1835.

Ralph Barnes (1781-1869) seems to have made these analytical notes on the first book of the *Commentaries* as a student at Exeter Grammar School, even before becoming an articled clerk in an attorney's office. Barnes practiced as a solicitor in Exeter, where he also served as secretary to successive bishops and clerk to the dean and chapter of the cathedral, besides publishing on legal topics. An obituary described him as "one of the best ecclesiastical lawyers in the kingdom."



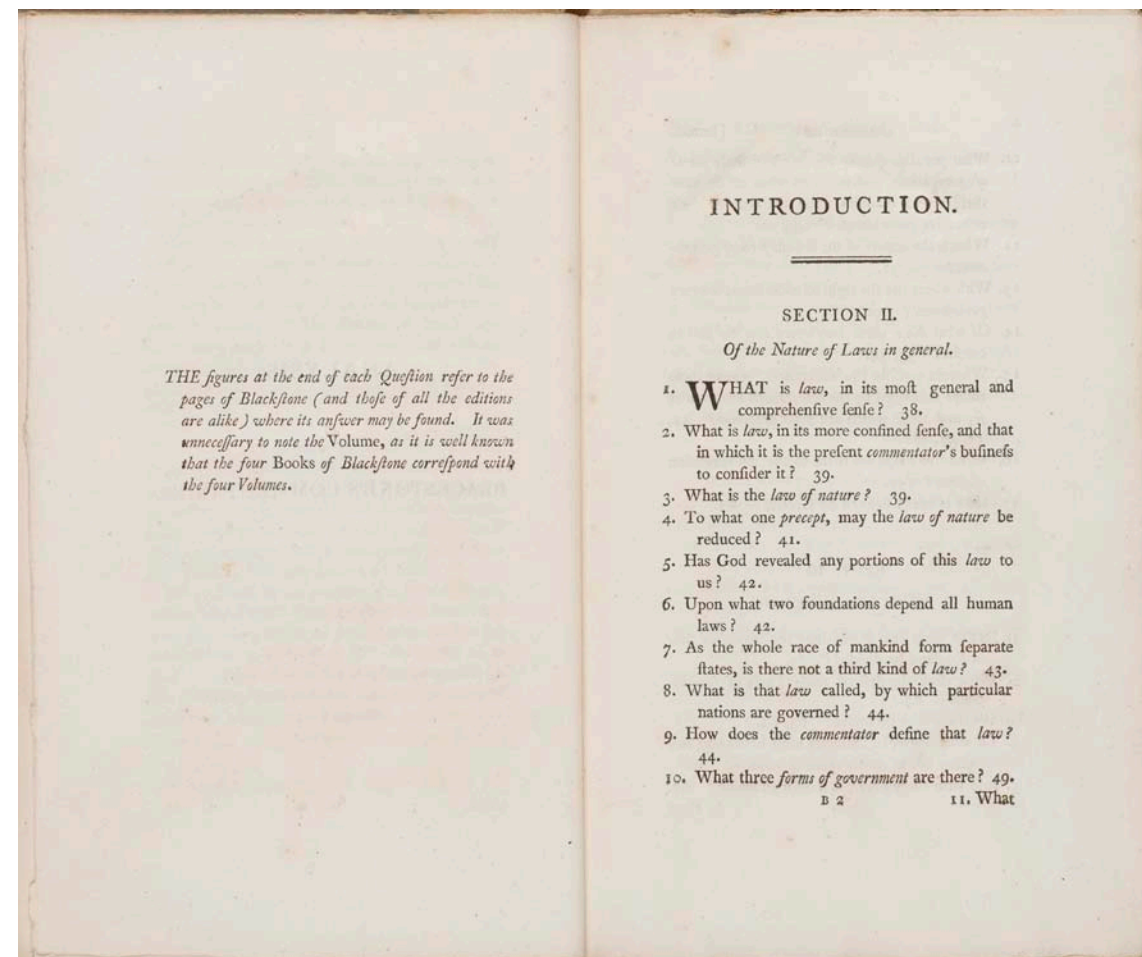
William Pinnock. *Pinnock's Catechism of British Law: Containing Correct Ideas of Our Constitutional Rights and Liberties*. London: G. & W.B. Whittaker, 1823.

A former teacher turned bookseller/publisher, William Pinnock (1782-1843) issued a series of "catechisms" covering a wide range of secular topics in the question-and-answer format originally used for religious instruction. It is not clear who actually wrote most of these cheaply produced pamphlets, aimed at a fast-expanding non-elite juvenile market. "British Law" is a misnomer, although the text on display surveys Britain's main institutions of government as well as English common law.



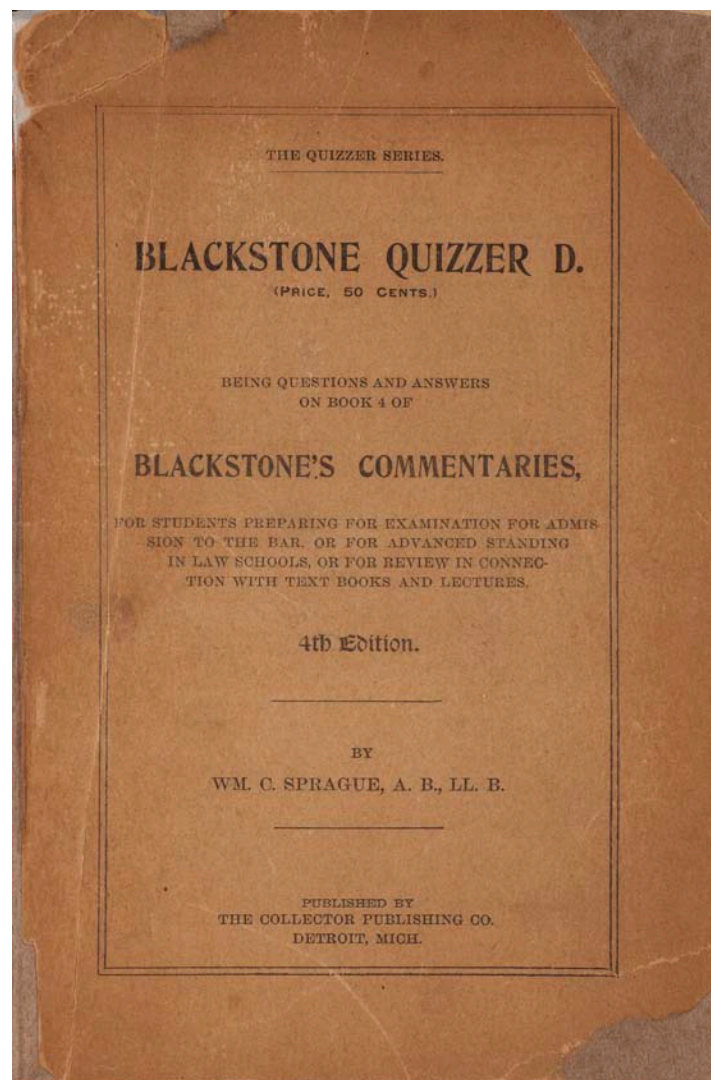
Student notebook. Manuscript, ca. 1810.

This notebook, compiled by an unknown American student in the early nineteenth century, provides a practical example of the catechetical method of pedagogy in action. It shows that Blackstone's *Commentaries* were studied not only by would-be lawyers and college students, but also as part of the standard curriculum for school-aged boys and girls. The first few pages of this notebook are devoted to "Questions and Answers on Geography."



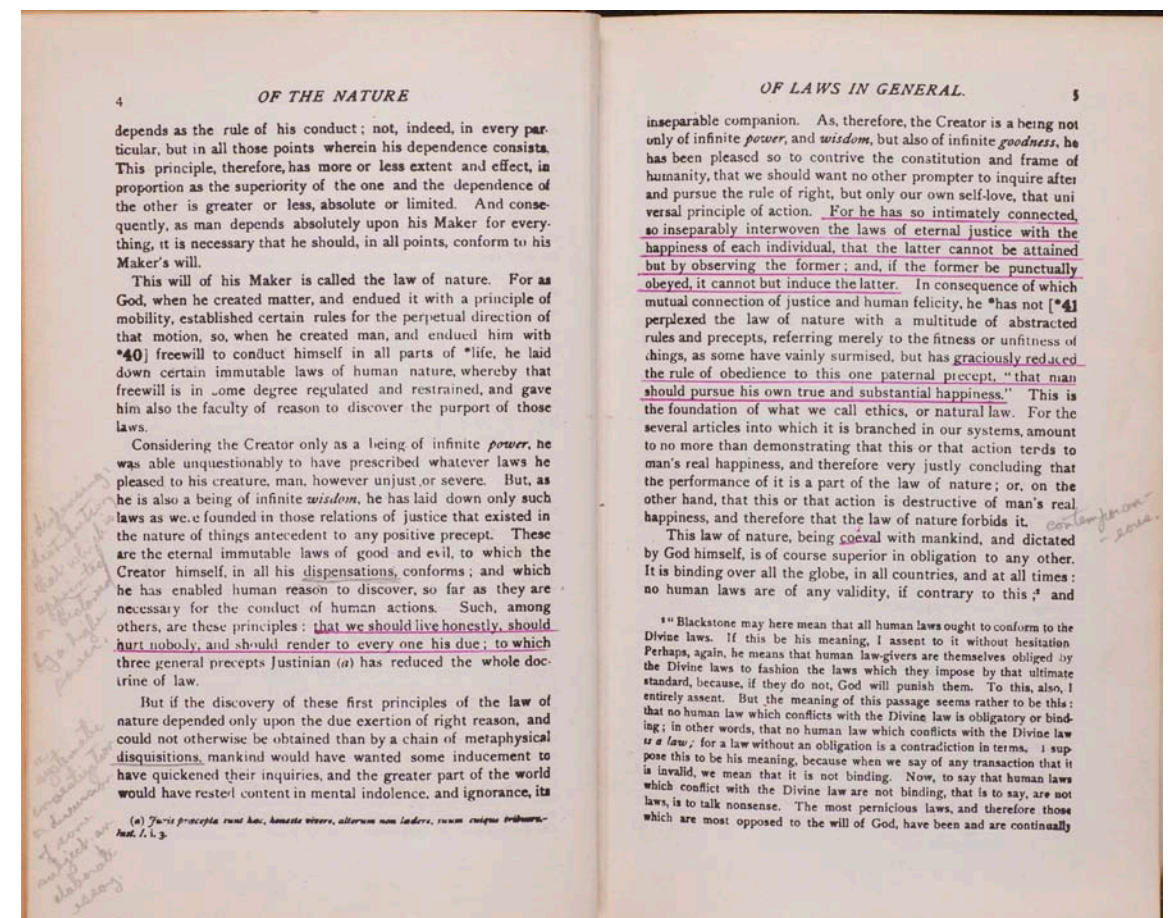
Barron Field. *An Analysis of Blackstone's Commentaries on the Laws of England, in a Series of Questions*. London: T. Cadell & W. Davies, 1811.

While working as a theatre critic and journalist, Barron Field (1786-1846) qualified as an attorney and solicitor, and then compiled his frequently reprinted question-and-answer guide to Blackstone's *Commentaries*. Following call to the bar, Field pursued an imperial legal career in Ceylon, New South Wales (judge of the Supreme Court 1817-24), and Gibraltar. He also published *First Fruits of Australian Poetry* (Sydney, 1819).



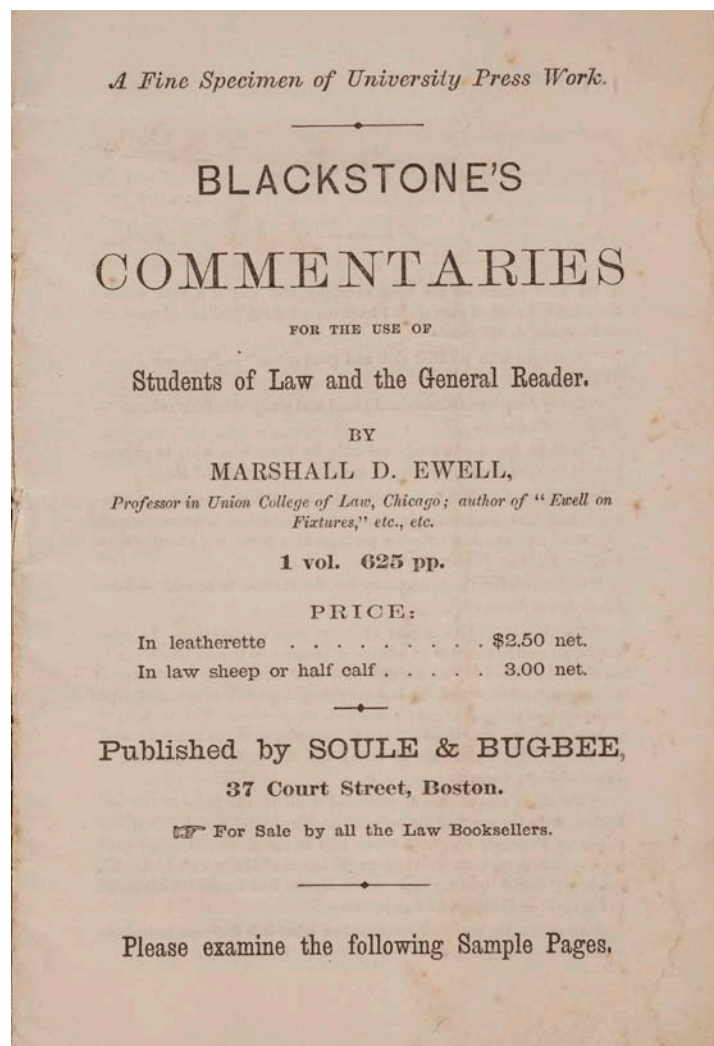
William C. Sprague. *Blackstone Quizzer D: Being Questions and Answers on Book 4 of Blackstone's Commentaries*. 4th edition. Detroit, Mich.: Collector Publishing Co., 1897.

Besides practicing law in the Midwest and compiling an *Abridgement of Blackstone's Commentaries* (nine editions between 1892 and 1915), William C. Sprague (1860-1922) presided over the Sprague Correspondence School of Law. Readers of his "Quizzer" series were advised to memorize the exact answers provided in these short pamphlets, which must have served many candidates taking state bar admission exams.



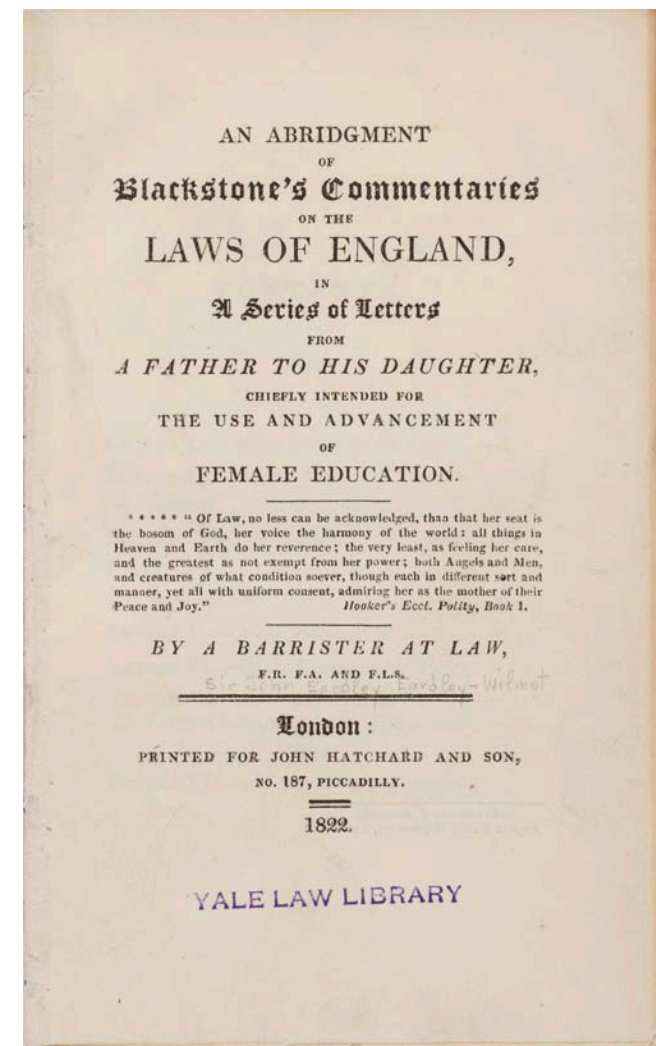
William Blackstone. *The American Students' Blackstone: Commentaries on the Laws of England in Four Books*. New York: Baker, Voorhis & Co., 1938.

The first edition of *The American Student's Blackstone ... So Abridged as to Retain All Portions of the Original Work which are of Historical or Practical Value, with Notes and References to American Decisions* was published in 1876. This 1938 impression appears to be a reprint of the fourth (1914) edition. The compiler, George C. Chase (1849-1924) taught in the Law School of Columbia College before becoming Dean of the New York Law School. The notes are by a New York Law School student in 1948, most likely one of the last times the *Commentaries* was used as a law school textbook.



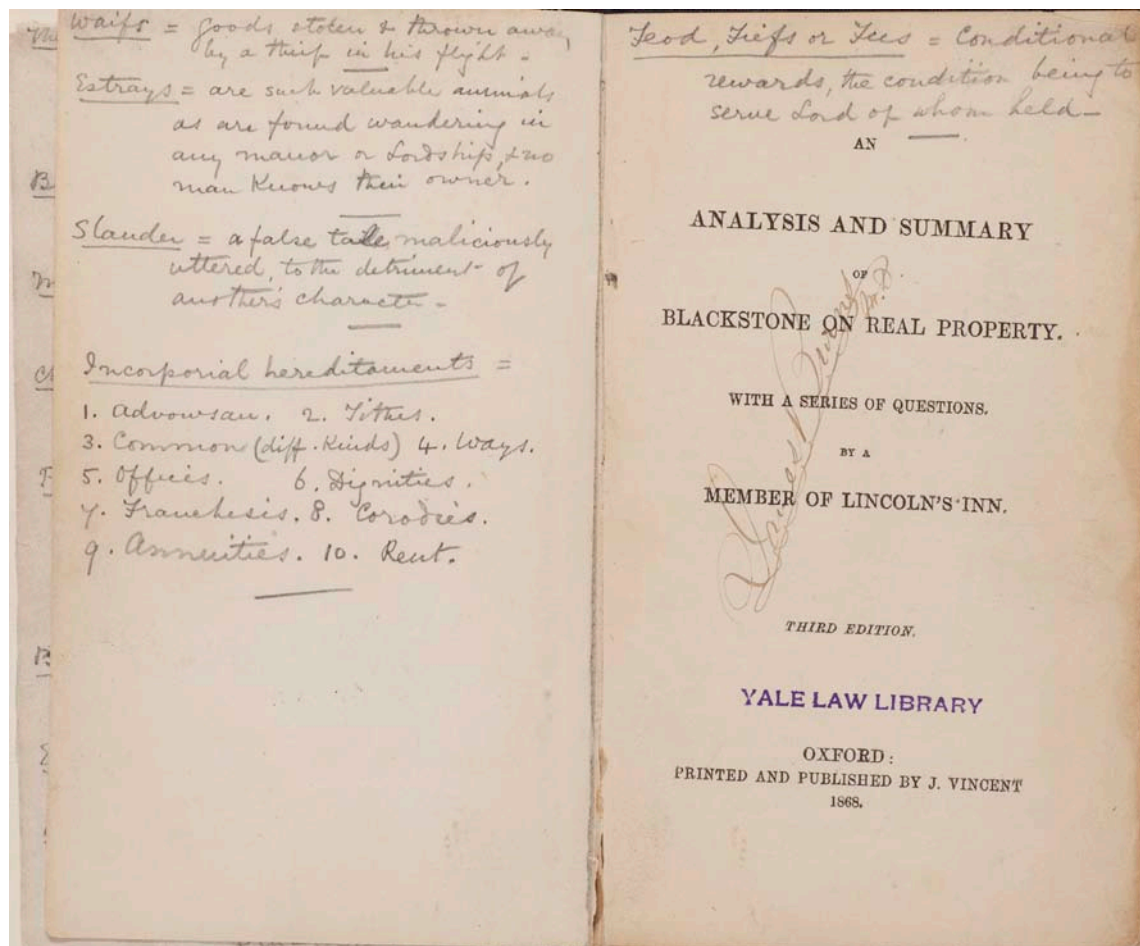
Blackstone's Commentaries for the Use of Students of Law and the General Reader. [Boston: Soule & Bugbee, 1882?]

The abridgment of the *Commentaries* by Marshall D. Ewell (1844-1928), founding president of the Kent College of Law, used different typefaces to distinguish “obsolete and unimportant matter from ... fundamental principles of the law.” This ten-page flyer for the first edition includes endorsements from fellow academics, newspapers, and professional journals: according to the *Indianapolis Herald*, “Every American citizen should read and study this little book.”



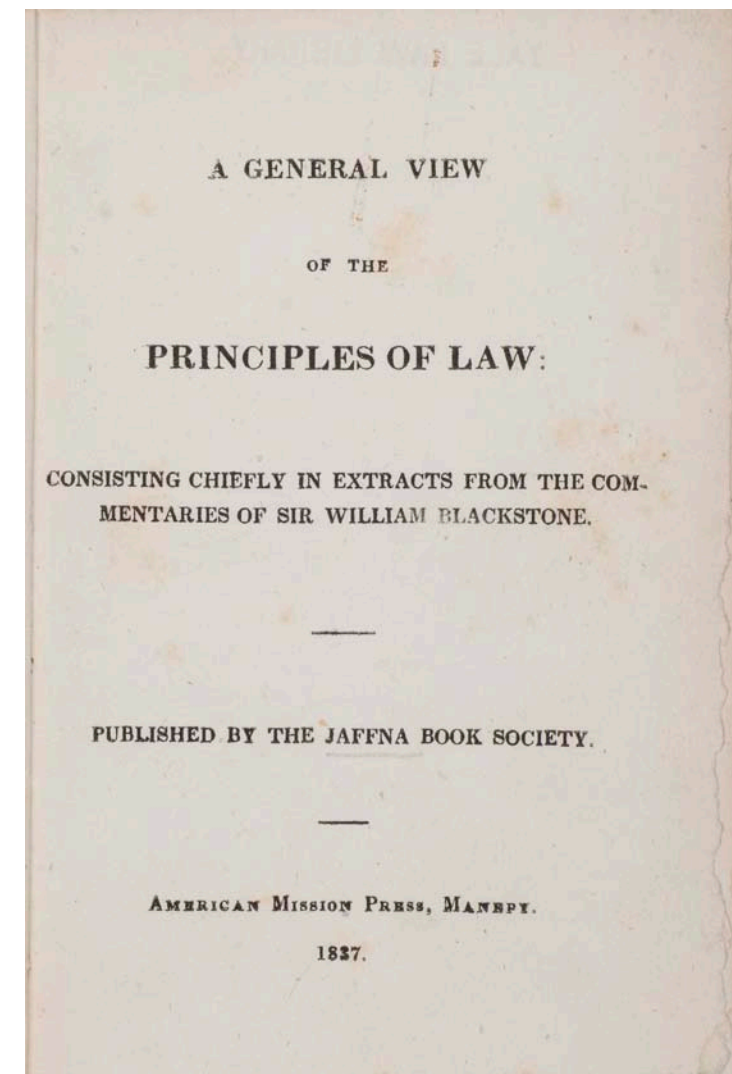
John Eardley-Wilmot. *An Abridgment of Blackstone's Commentaries on the Laws of England, in a Series of Letters from a Father to His Daughter, Chiefly Intended for the Use and Advancement of Female Education.* London: John Hatchard & Son, 1822.

Sir John Eardley-Wilmot (1783-1847) was a high-minded Tory baronet and barrister committed to good works, including penal reform and the education of women. He sought here “for your amusement and instruction” to provide female readers with “a general idea of the laws, and of that glorious Constitution, under which it is your happiness to be born.” Revised and partially rewritten editions were issued by his son, also Sir John Eardley-Wilmot, in 1853 and 1855.



William Blackstone. *An Analysis and Summary of Blackstone on Real Property, with a Series of Questions*. 3rd edition. Oxford: J. Vincent, 1868.

All four known editions (1859, 1863, 1868, and 1875) of this brief compilation were issued by the same Oxford printer, probably for the use of students in the university's new School of Jurisprudence. It contains a summary version of chapters 2-23 from Book II of the *Commentaries*, with a two-page appendix outlining the complex rule in *Shelley's Case* (1579).



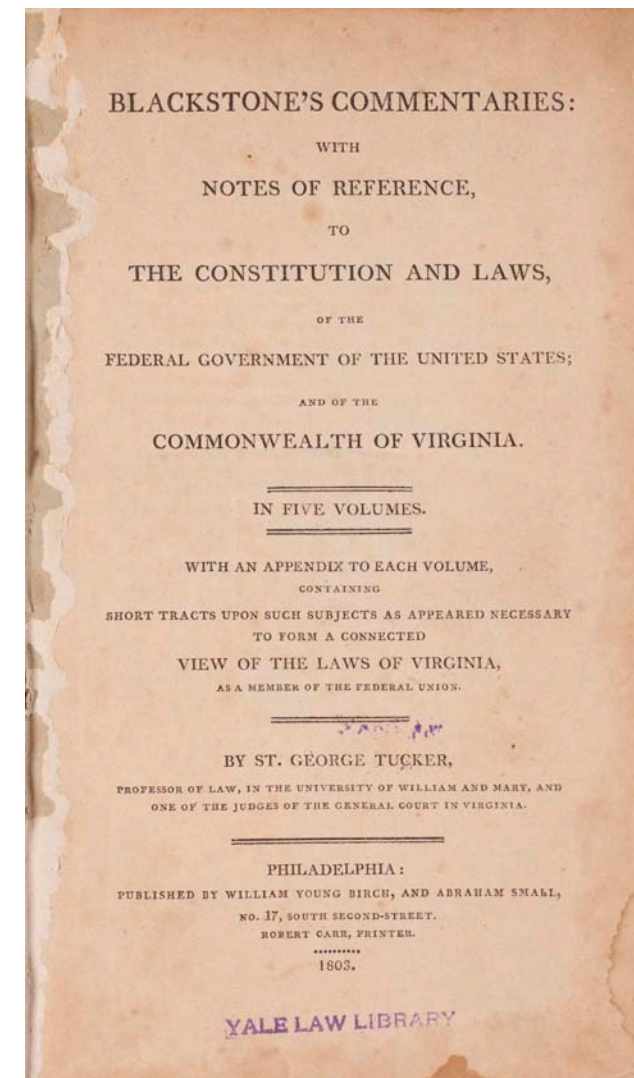
A General View of the Principles of Law: Consisting Chiefly in Extracts from the Commentaries of Sir William Blackstone. Manepy [Sri Lanka]: American Mission Press, 1837.

This paper-bound pamphlet of 66 pages consists of an abridged version, without footnotes, of Book I of the *Commentaries*, Introduction, sections 2 ("Of the Nature of Laws in General") and 3 ("Of the Laws of England"), together with questions on the text. The American Mission Press began operations at Manepy, near Jaffna in northern Sri Lanka, in 1820.

250 Years of Blackstone's *Commentaries*: REACTIONS, RESPONSES, APPROPRIATIONS

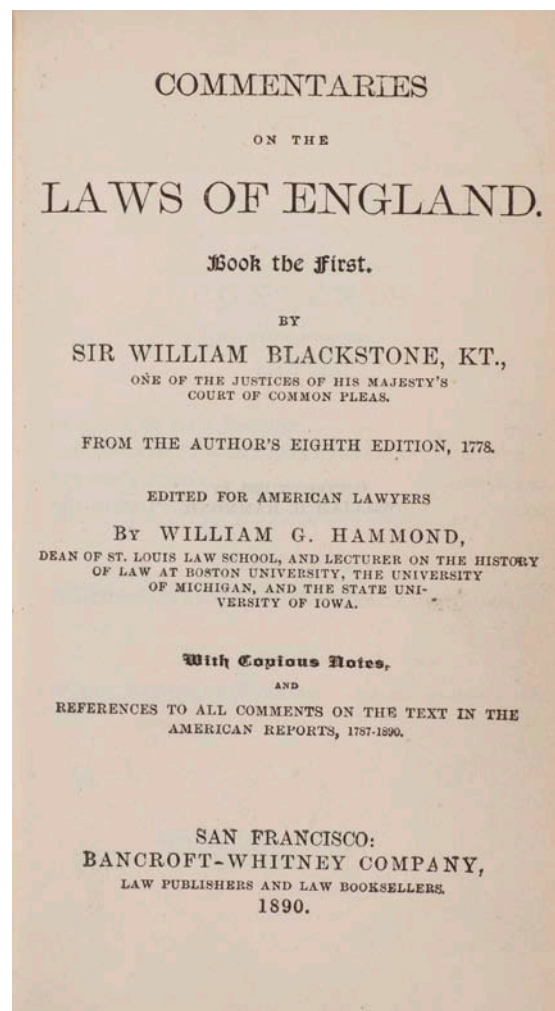
As Rhadamanthus sage, who makes *orations*
To wond'ring *pupils* — and to *juries lectures*;
To *ladies* publishes *law* dedications,
And o'er poor prostrate Blackstone stoutly hectors.

— St. George Tucker (1752-1827), “Ode VII: To Death”



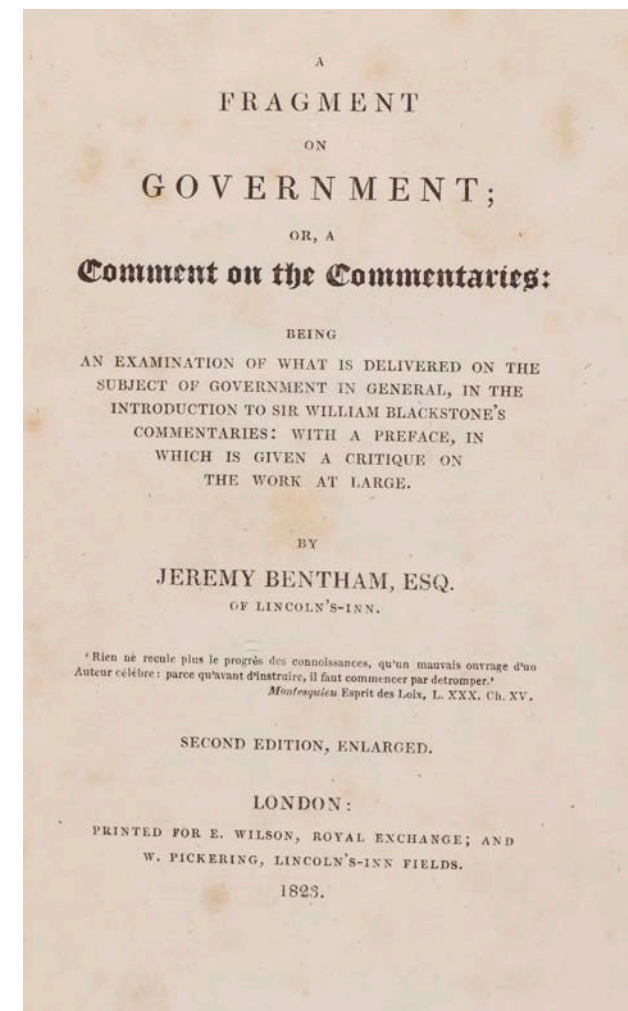
William Blackstone. *Blackstone's Commentaries: With Notes of Reference, to the Constitution and Laws, of the Federal Government of the United States, and of the Commonwealth of Virginia ...* / by St. George Tucker. Philadelphia: William Young Birch & Abraham Small, 1803. Volume 1 of 4.

St. George Tucker (1752-1827) was responsible for the first edition of Blackstone which supplemented the English text with material of direct relevance to American lawyers – more specifically, those practicing in particular state jurisdictions. Tucker's text thereby inaugurated the long line of “Americanized” Blackstones.



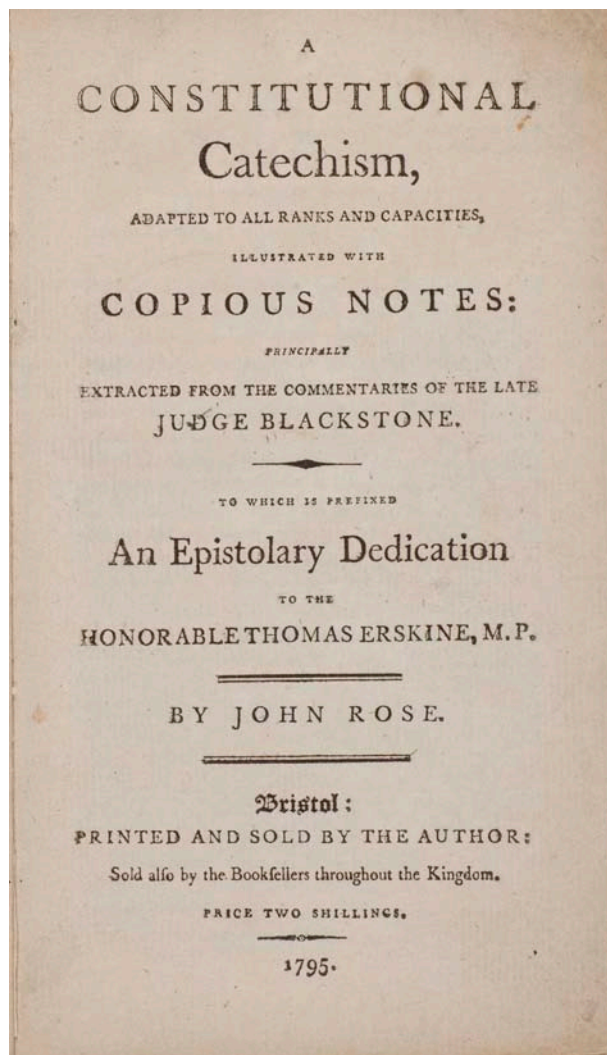
William Blackstone. *Commentaries on the Laws of England*. San Francisco: Bancroft-Whitney Company, 1890. "From the author's 8th ed., 1778, edited for American lawyers by William G. Hammond." Volume 1 of 4.

The lithographic plates and remaining stock of this now very rare edition of the *Commentaries* were evidently destroyed in the San Francisco fire of 1906. Its scholarly editor included more than six thousand references to American cases citing Blackstone. Hammond's text also purports to incorporate all authorial changes from the first to the ninth (and first posthumous) edition, as collated by law students at Washington University, St Louis.



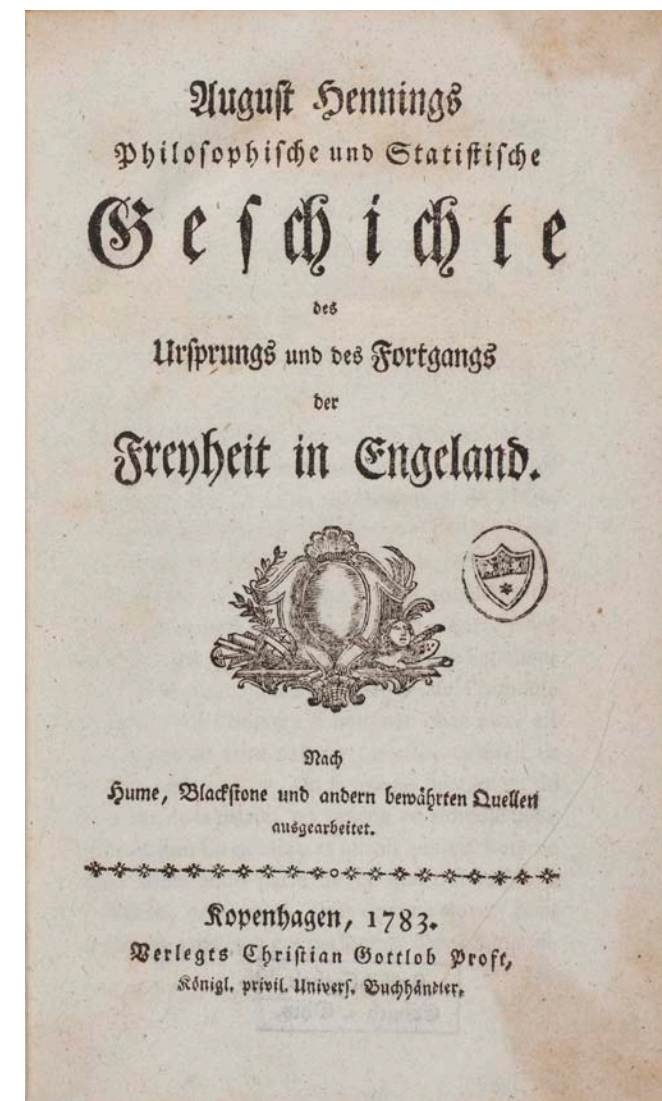
Jeremy Bentham. *A Fragment on Government, or, A Comment on the Commentaries: Being an Examination of What Is Delivered on the Subject of Government in General, in the Introduction to Sir William Blackstone's Commentaries*. 2nd edition. London: E. Wilson & W. Pickering, 1823.

Jeremy Bentham (1748-1832) attended Blackstone's lectures as an Oxford undergraduate. For the rest of his long life he denounced their intellectual and moral deficiencies, as embodied in the *Commentaries*. *A Fragment on Government* was first published anonymously in 1776; by the time this second edition appeared its author had become Britain's leading public intellectual and proponent of radical reform.



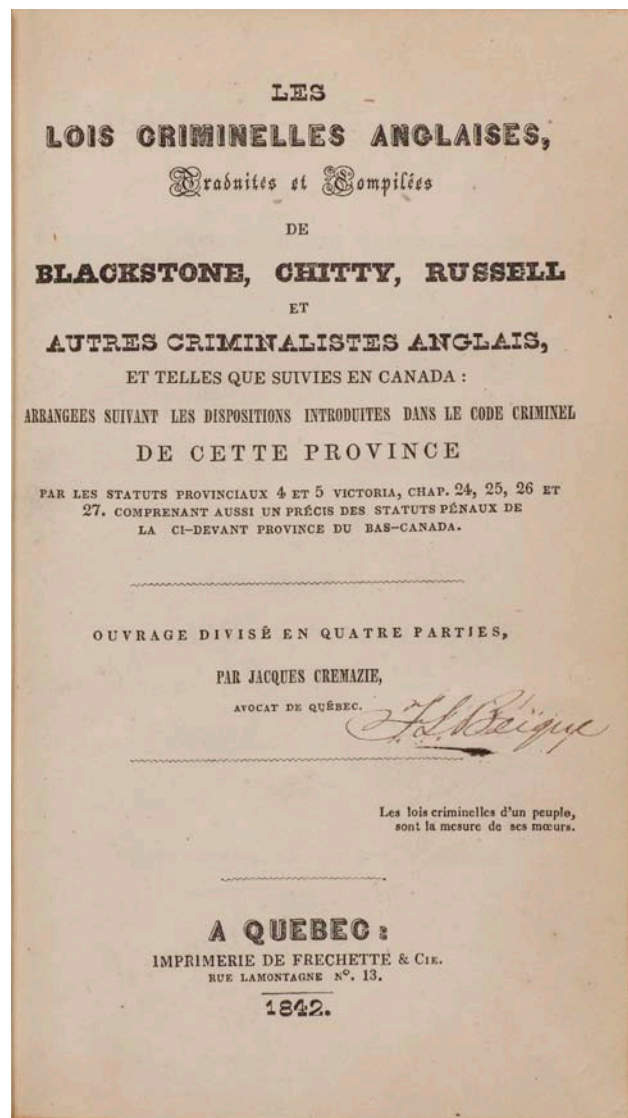
John Rose. *A Constitutional Catechism, Adapted to All Ranks and Capacities, Illustrated with Copious Notes: Principally Extracted from the Commentaries of the Late Judge Blackstone*. Bristol [England]: Printed and sold by the author, 1795.

Little is known of John Rose (d. 1815), the Bristol bookseller-printer who dedicated this pamphlet to the barrister-politician and future lord chancellor Thomas Erskine, joining the contemporary reaction against the principles of revolutionary France. The conservative *Monthly Review* noted that “Without any tendency to democratical sentiments, the author appears to be a moderate Whig.”



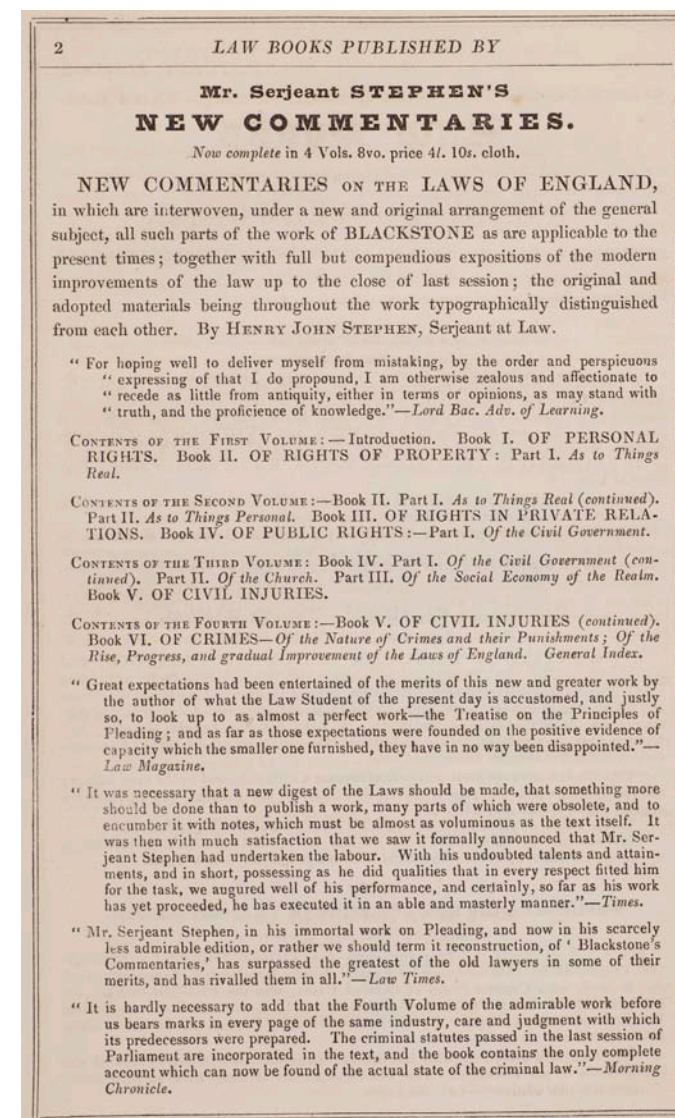
August Hennings. *Philosophische und statistische Geschichte des Ursprungs und des Fortgangs der Freyheit in Engeland: nach Hume, Blackstone und andern bewährten Quellen ausgearbeitet*. Copenhagen: Christian Gottlob Proft, 1783.

This “Philosophical and Political History of the Origins and Progress of Liberty in England compiled from the writings of Hume, Blackstone and others” was the work of August Adolph Friedrich von Hennings (1746-1826), author, politician, and “apostle of the Enlightenment” in northern Germany and Denmark.



Jacques Crémazie. *Les lois criminelles anglaises, traduites et compilées de Blackstone, Chitty, Russell et autres criminalistes anglais, et telles que suivies en Canada*. Québec: Imprimerie de Fréchette & cie., 1842.

The lawyer Jacques Crémazie (1810-1872) was one of several authors who started with Blackstone's *Commentaries* in order to expound English criminal law to the francophone inhabitants of Lower Canada, albeit well after the British Conquest of 1760 and the subsequent creation of the province of Quebec.



Henry Butterworth, Law Bookseller. Advertisement for the 1st edition of Henry John Stephen's *New Commentaries on the Laws of England* (1841).

By 1840 Blackstone's text, over seventy years old, required radical revision and updating. The task was undertaken by Henry John Stephen, Serjeant at Law, who "endeavoured to interweave my own composition" with Blackstone's words, although admitting that "deviations from the original work" were "frequent and extensive." Butterworths published a twenty-first edition of *Stephen's Commentaries* in 1950.



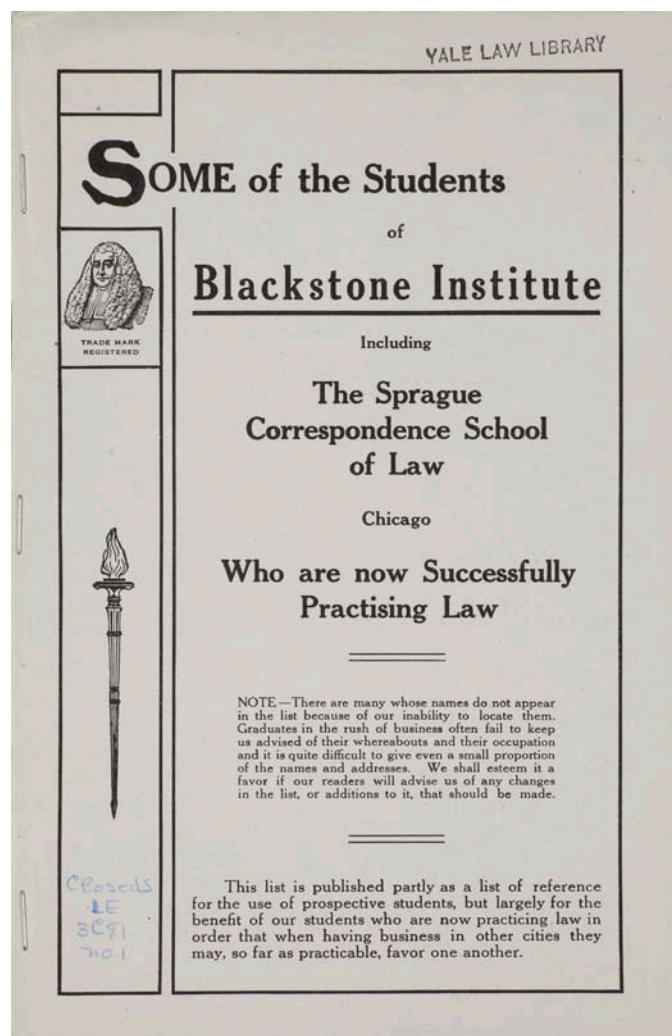
194 years of good English judgment: Blackstone on Law, Gordon's on Gin.

In 1765, Sir William Blackstone made a lasting contribution to society with his classic exposition of the laws of England. Four years later, Alexander Gordon performed a similar feat by introducing his remarkable gin. The Gordon's Gin you drink today still harks back to Mr. Gordon's original 1769 formula. This has preserved Gordon's distinctive dryness and flavour. And gin connoisseurs everywhere apparently consider this a matter of good judgment, too, because they have made Gordon's the biggest selling gin in all of England, America, the world.

PRODUCT OF U.S.A. DISTILLED LONDON DRY GIN, 100% NEUTRAL SPIRITS DISTILLED FROM GRAIN, 90 PROOF, GORDON'S DRY GIN CO., LTD., LONDON, N. J.

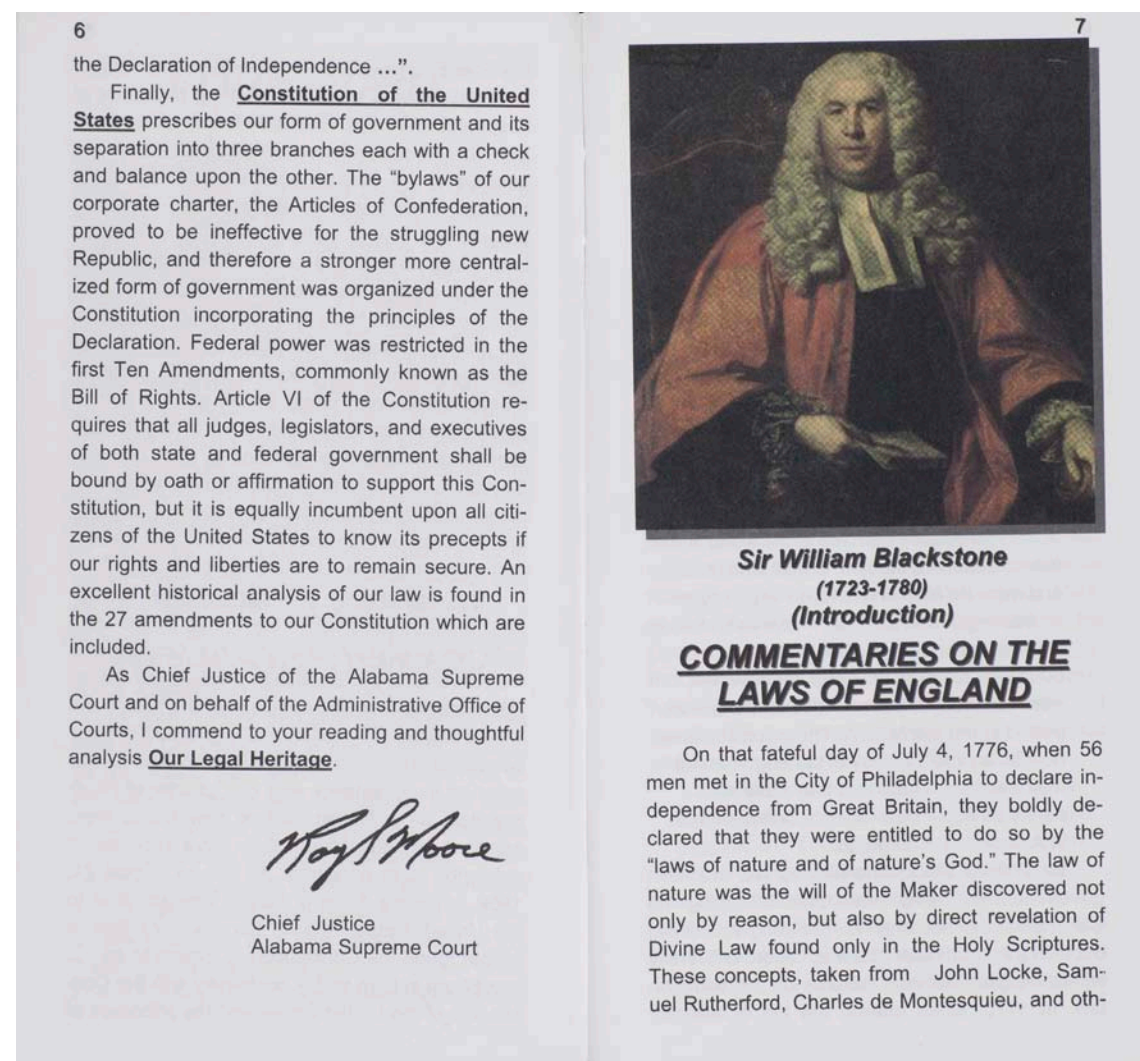
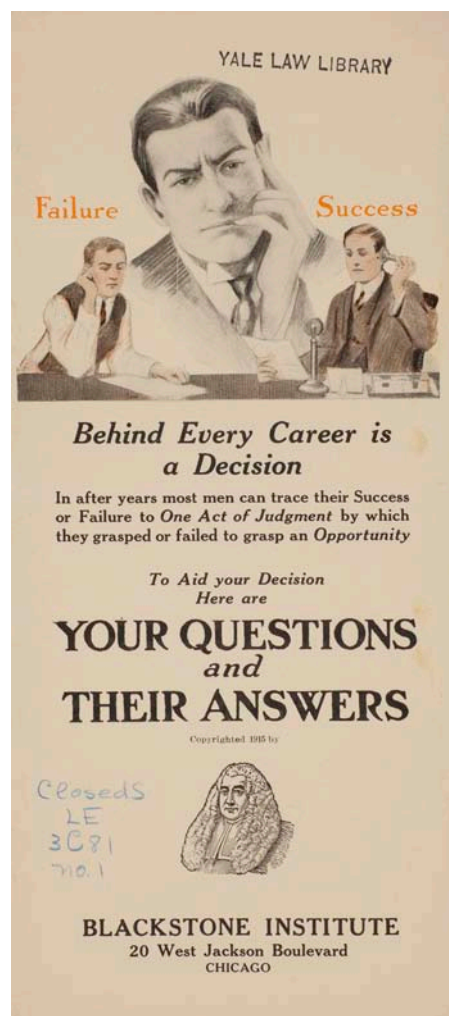
"194 years of good English judgment: Blackstone on Law, Gordon's on Gin." In *Look* (May 7, 1963), page 8.

Notwithstanding its 20th century aura of sophistication, in Blackstone's life-time gin had definite connotations of dissolute poverty. His own preferred tippie was fortified wine, especially port. But Boswell's claim in his *Life of Samuel Johnson* that Blackstone composed the *Commentaries* "with a bottle of port before him" offended the family and was modified in later editions.



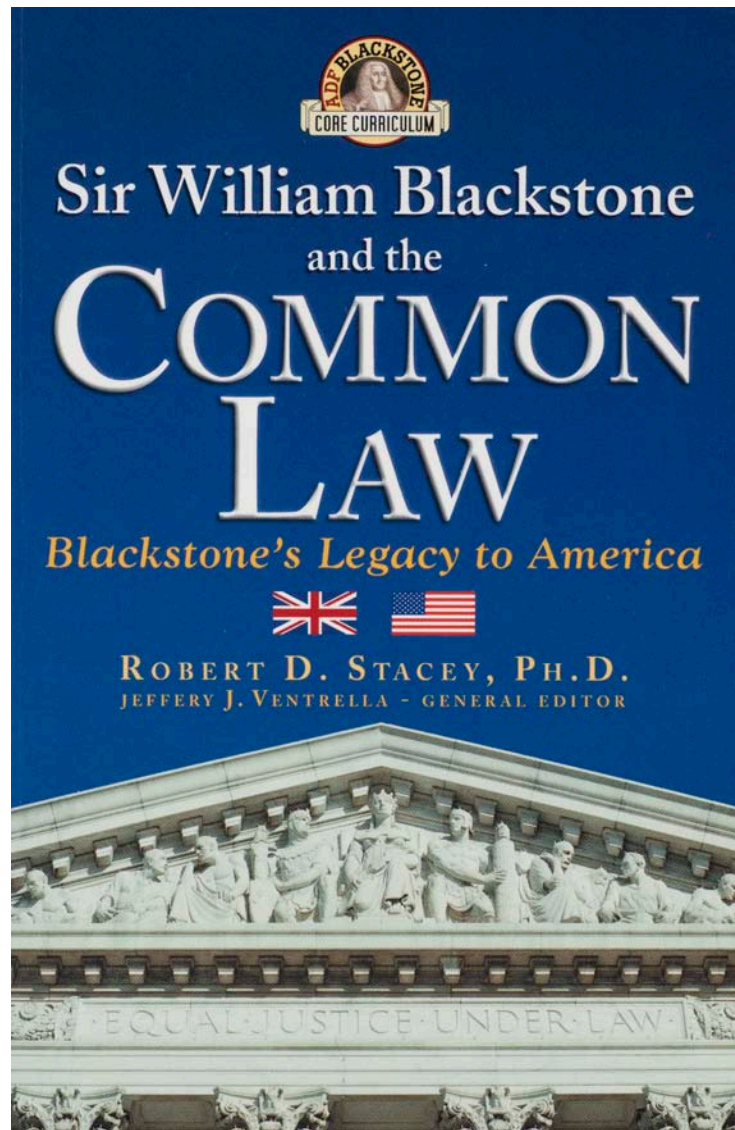
Blackstone Institute (Chicago, Ill.). Promotional brochures, 1915 and undated.

According to its promotional literature, Blackstone Institute and its affiliated Sprague Correspondence School of Law, established in Detroit in the early 1890s, had become by 1915 “The Oldest and Largest Institute for Law Training in the World.” The main teaching vehicle was *Modern American Law*, a fifteen-book series, “the work of the nation’s best legal talent”; it included an abridgment of the *Commentaries*. The school continues today as the Blackstone Career Institute, providing vocational training for paralegals and other fields, and proving the continued value of Blackstone’s name as a brand.



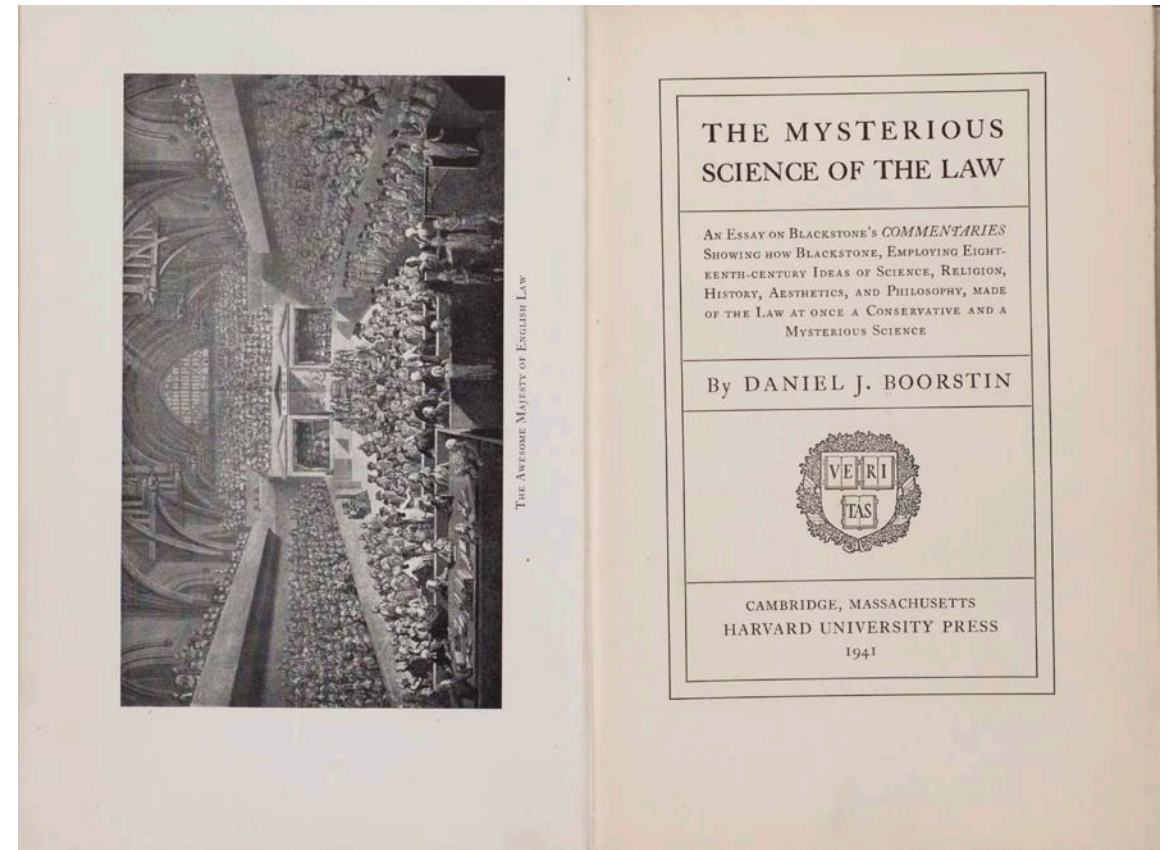
Roy S. Moore. *Our Legal Heritage*. Montgomery, Alabama: Administrative Office of Courts, 2001.

While Blackstone’s views on the relationship between natural, divine, and “municipal” law are by no means straightforward, he has recently been recruited to the culture wars. Here Roy S. Moore, Alabama’s controversial Chief Justice in 2001-2003 and again since 2013, attributes both the American Revolution and the first clause in the Declaration of Independence to Blackstone’s “compilation of the common law with its emphasis on God-given rights and liberties.”



Robert D. Stacey. *Sir William Blackstone and the Common Law: Blackstone's Legacy to America*. Eugene, Oregon: ACW Press, 2003.

This is the initial volume in the “Blackstone Core Curriculum” of the Alliance Defense Fund (now “Alliance Defending Freedom”) established in 1994 as “a Christian legal advocacy organization dedicated to protecting religious liberty, the sanctity of life, and marriage and family.” Some 1500 law students are said to have passed through its summer “Blackstone Legal Fellowship leadership development program.”



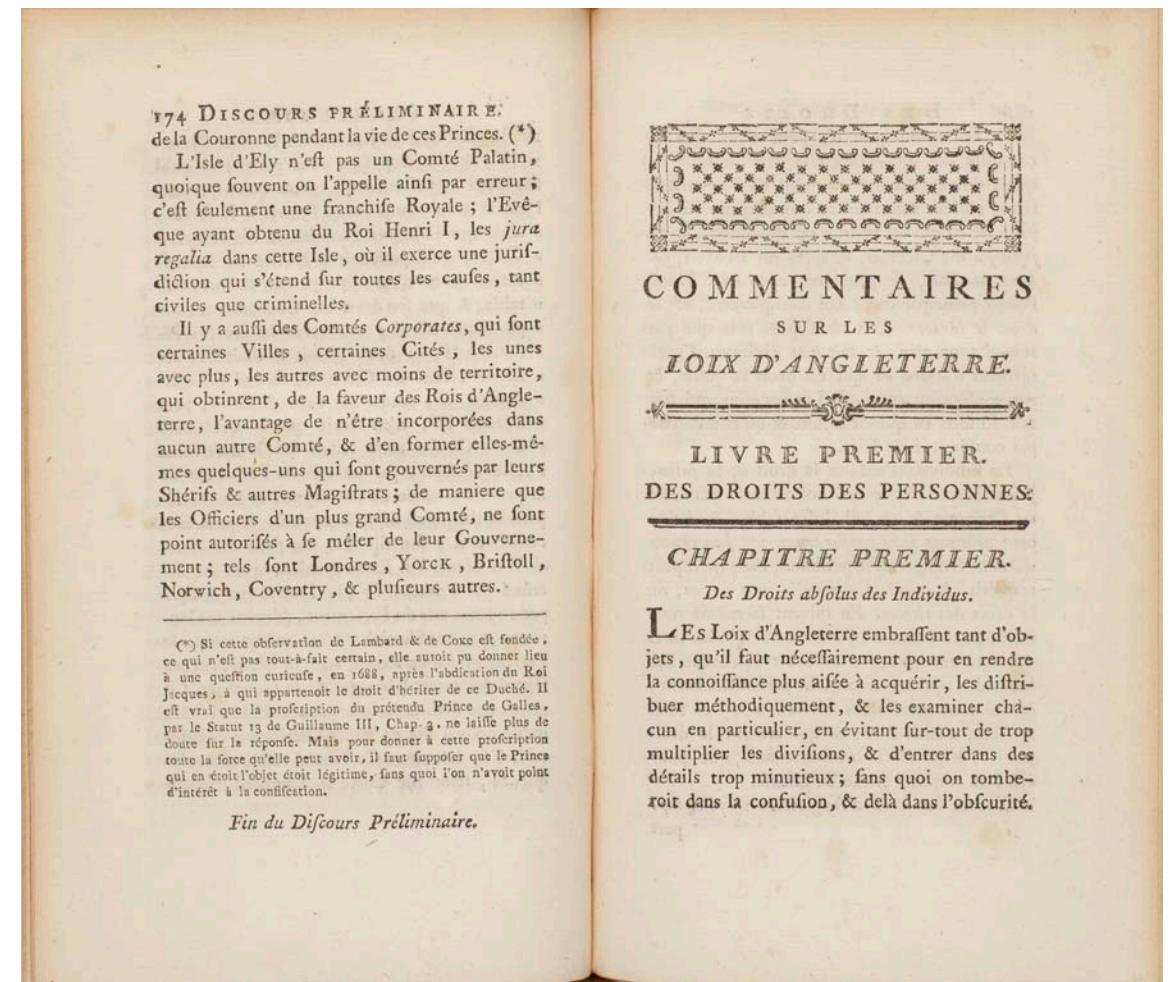
Daniel J. Boorstin. *The Mysterious Science of the Law: An Essay on Blackstone's Commentaries, Showing How Blackstone, Employing Eighteenth-Century Ideas of Science, Religion, History, Aesthetics, and Philosophy, Made of the Law at Once a Conservative and a Mysterious Science*. Cambridge, Mass.: Harvard University Press, 1941.

Harvard, Yale, and Oxford-educated, the historian Daniel J. Boorstin (1914-2004) was a Rhodes Scholar and member of the Communist Party who later became Librarian of Congress and won the Pulitzer Prize. This classic “essay” on the intellectual context and agenda of the *Commentaries*, Boorstin’s first book-length publication, grew out of his 1940 Yale Law School doctoral dissertation, *Blackstone's Myth of Law: Some Uses of Reason and Faith in a Social Science*.

250 Years of Blackstone's *Commentaries*: THE COMMENTARIES IN TRANSLATION

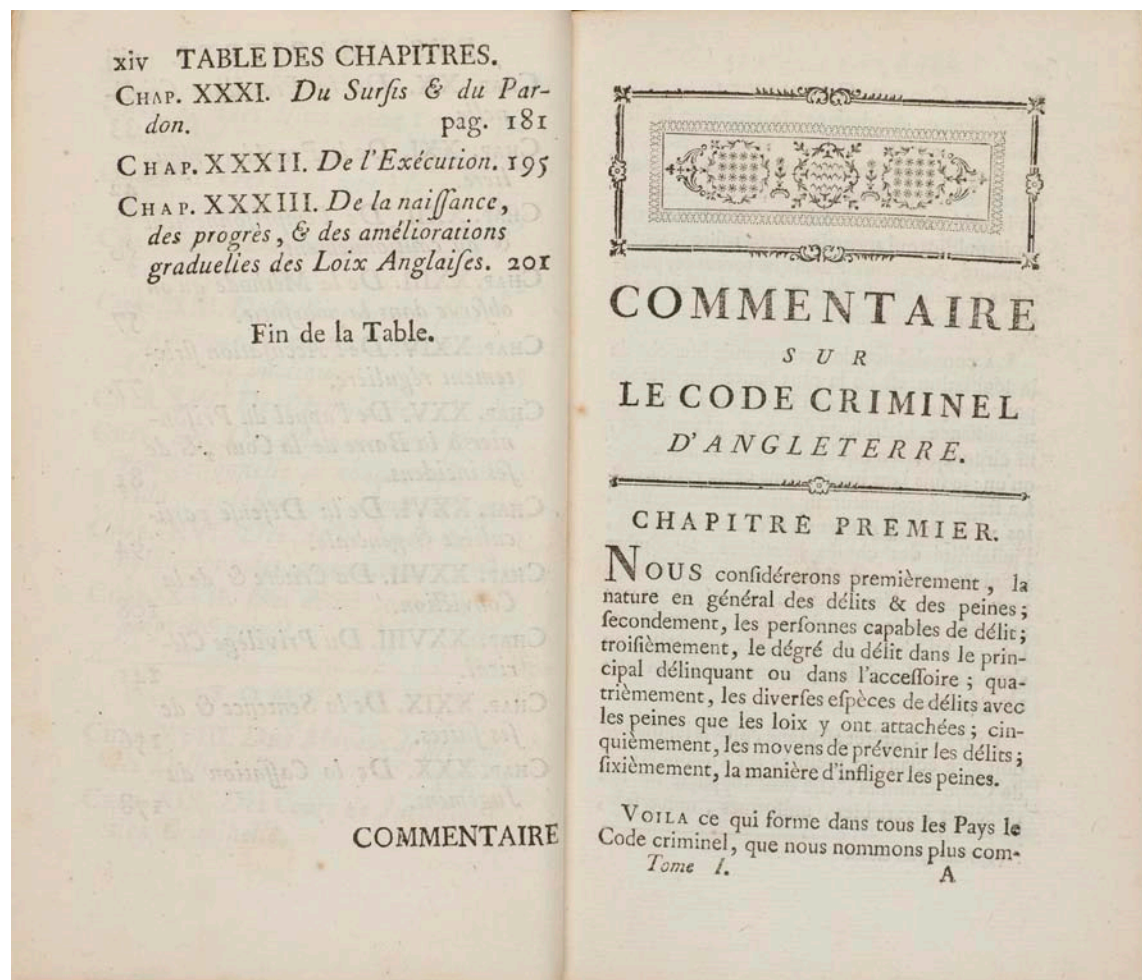
The law's a complicated rite;
A book of rules most technical;
System of logic, inexact;
Also circumlocutional.

— Percival E. Jackson (1891-1970), “The Law”



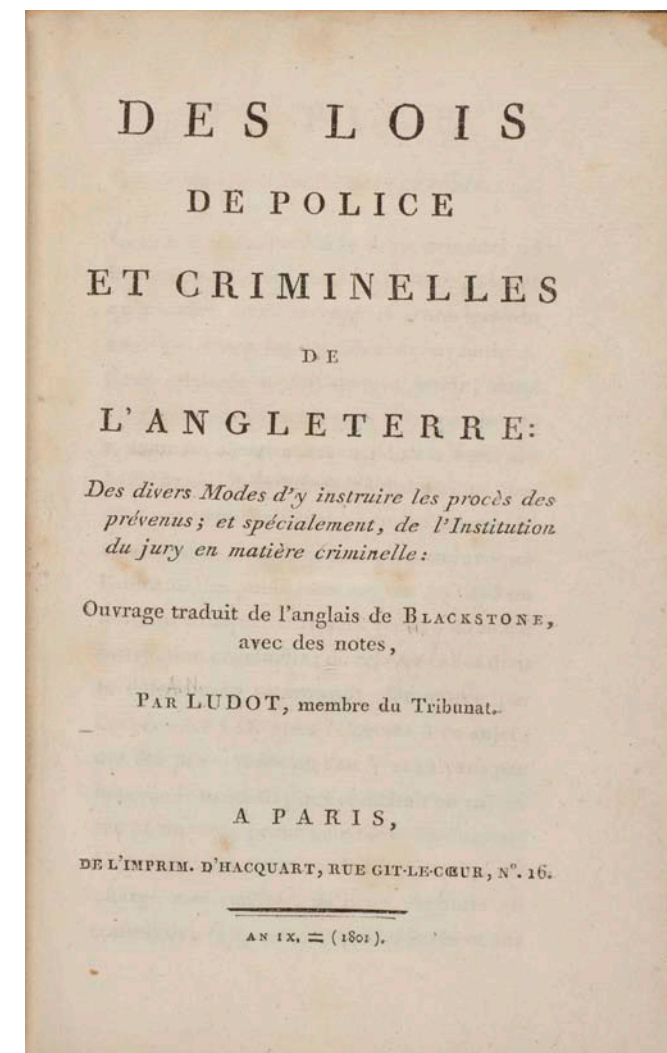
William Blackstone. *Commentaires sur les loix anglaises*. Brussels: J.L. de Boubers, 1774[-1776]. Volume 1 (1774) of 6.

The first French translator of the *Commentaries* was a prolific journalist and man of letters who had previously published extracts from Blackstone in his *L'Observateur Français à Londres* (1769-73). Augustin-Pierre Damiens de Gomicourt (1723-1790) wrote under several noms de plume. Although the anonymous preface (possibly by de Gomicourt himself) claims this translation to be “careful and exact,” that view has not been widely shared.



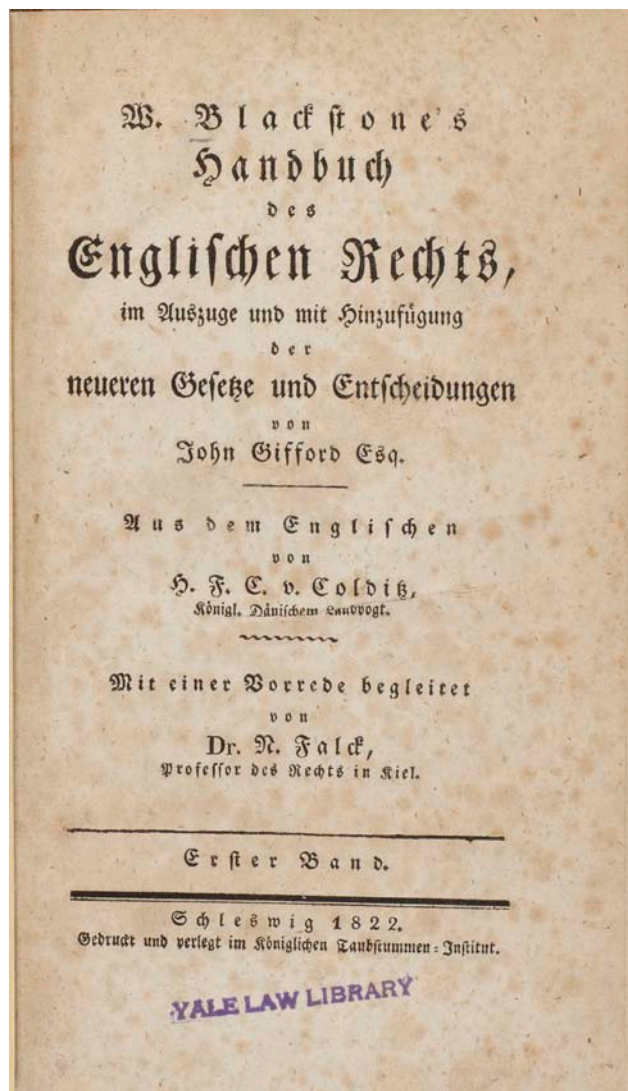
William Blackstone. *Commentaire sur le code criminel d'Angleterre*. Paris: Chez Knapen, 1776.

Gabriel François Coyer's (1707-1782) translation of the fourth book of the *Commentaries* was undertaken in the hope that it might inspire his fellow countrymen to adopt the basic principles of English criminal law. However, as he ruefully commented three years later, these hopes were in vain: "and his bookseller has sworn that he will no longer stock any work urging reform of law or morals."



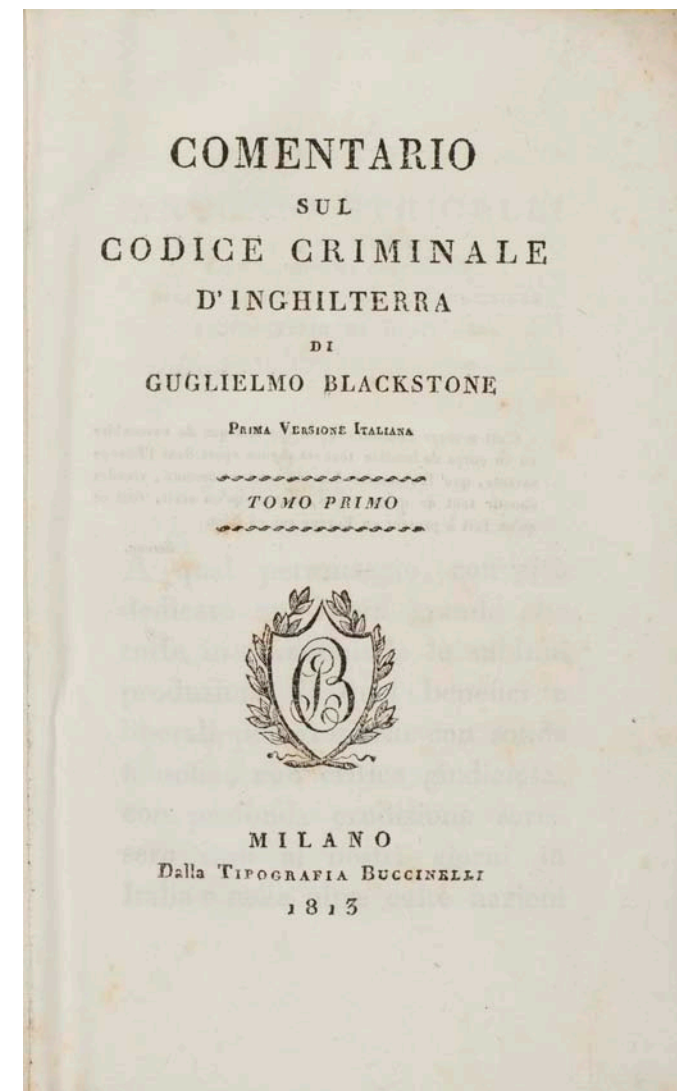
William Blackstone. *Des lois de police et criminelles de l'Angleterre: des divers modes d'y instruire les procès des prévenus, et spécialement, de l'institution du jury en matière criminelle*. Paris: De l'imprim. D'Hacquart, an IX [= 1801].

The lawyer Antonin Baptiste Nicolas Ludot (1760-1822) was a member of the National Convention from 1793 and of Napoleon's Tribunat (a body which considered proposed legislative changes). His translation of chapters 18-33 of Book IV of the *Commentaries* sought to make English trial procedures better known to would-be reformers of the French criminal code.



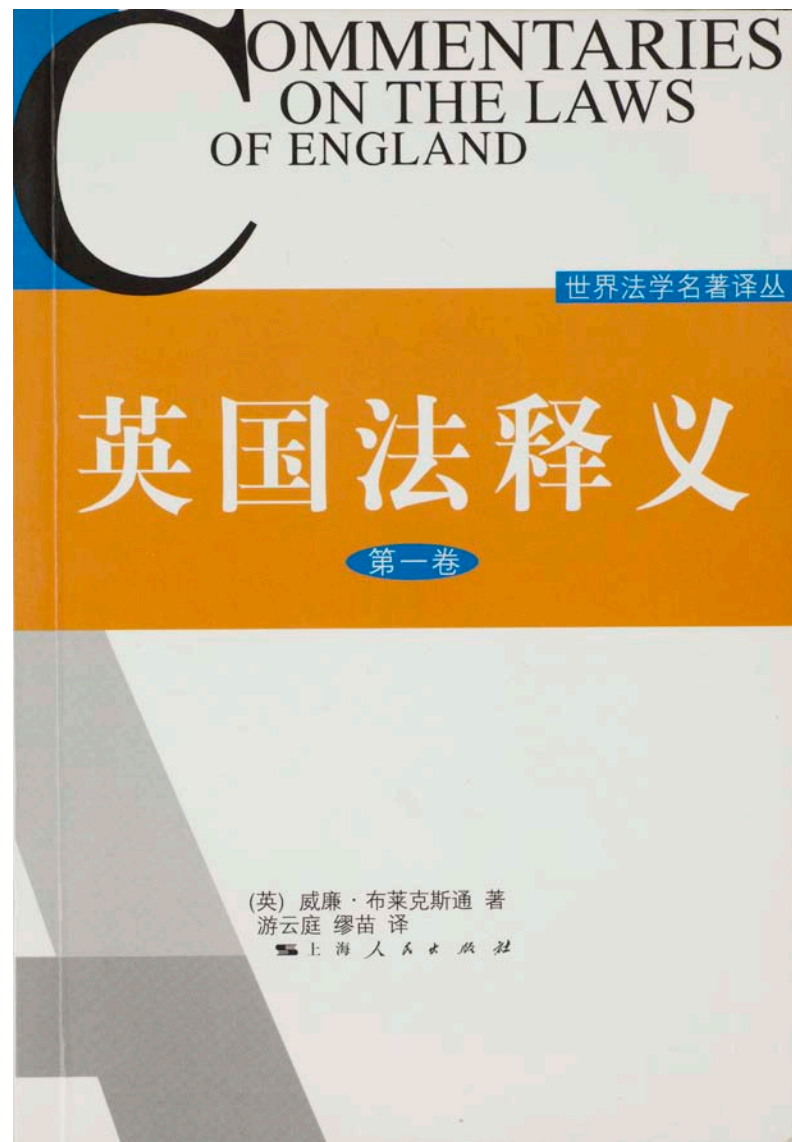
William Blackstone. *W. Blackstone's Handbuch des englischen Rechts, im Auszuge und mit Hinzufügung der neueren Gesetze und Entscheidungen*. Schleswig: Königl. Taubstummen-Institut, 1822[-1823]. Volume 1 (1822) of 2.

Nikolaus Falck (1784-1850), professor of law at Kiel University, translated the abridgment of the *Commentaries* published in 1820 under the name of John Gifford but actually completed by Edward Foss. Like other contemporary German liberals, Falck depicts Blackstone as the leading source on the character of England's constitution and its "firmly rooted legal liberty."



William Blackstone. *Comentario sul codice criminale d'Inghilterra*. Milan: Tipografia Buccinelli, 1813. Volume 1 of 2.

This translation of Book IV of the *Commentaries* by Antonio Ascona is the first and only Italian rendering of Blackstone. Published in the last year of the Napoleonic kingdom of Italy, it was dedicated to Count Antonio Strigelli, secretary of state, as the first of a projected collection of criminological classics (*Raccolta dei Classici Criminalisti*) aimed at furthering criminal law reform.



William Blackstone. *Yingguo fa shi yi*. Shanghai: Shanghai ren min chu ban she, 2006.

While there may possibly have been earlier Chinese translations of the *Commentaries*, this volume (the first in the “Translation Series of Famous Texts on the Study of Law”) was published in simplified Chinese under the auspices of the East China University of Political Science and Law School, by the Shanghai People’s Publishing House. It consists of Book One of the *Commentaries*.

250 Years of Blackstone’s *Commentaries*: THE COMIC BLACKSTONE

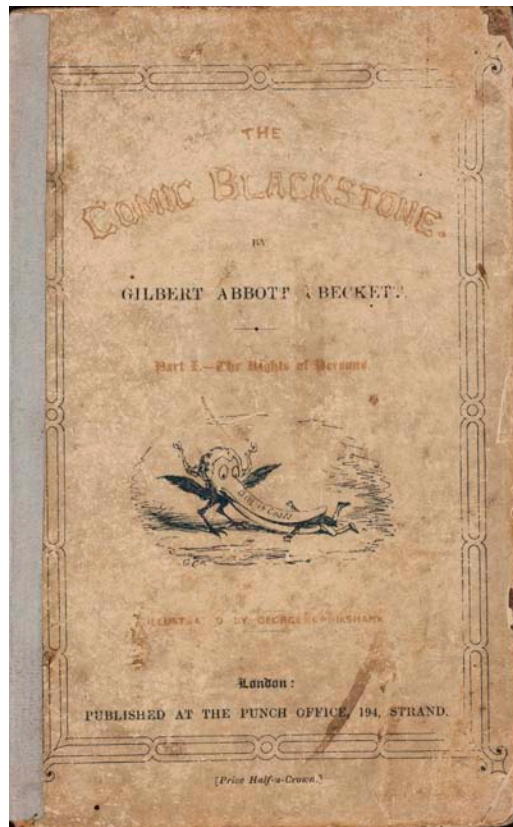
Can’t you arrange it, old Pard? —
Pigeonhole Blackstone and Kent! —
Here we have “Breitmann,” and Ward,
Twain, Burdette, Nye, and content!
Can’t you forget you’re a Judge
And put by your dolorous frown
And tan your wan face in the smile of a friend —
Can’t you arrange to come down?

— James Whitcomb Riley (1849-1916), “To the Judge: A Voice from the Interior of Old Hoop-Pole Township”

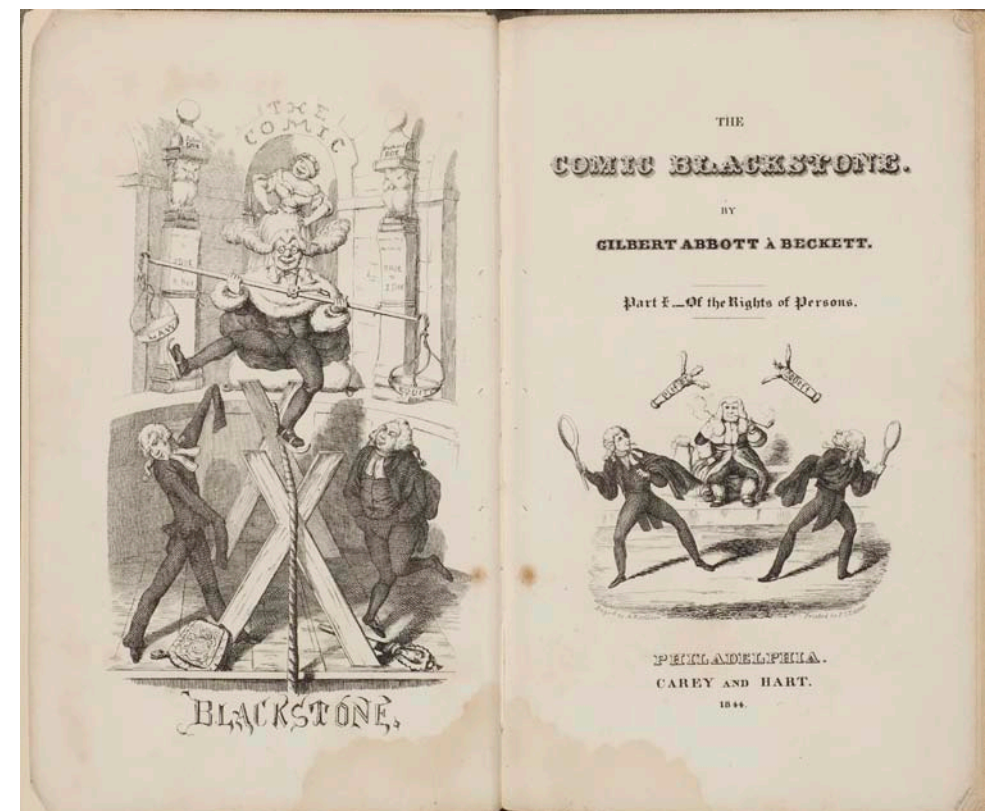
Nothing better testifies to the classic status of the *Commentaries* than *The Comic Blackstone*. After its serial debut in the new humorous magazine *Punch*, or the *London Charivari*, the first of some thirty editions was published with additional material as a two-volume book in 1844. Its author was Gilbert À Beckett (1811-1856), who managed to combine an early career as prolific journalist, playwright, and man of letters with call to the bar at Gray's Inn and eventual appointment as a Metropolitan Police magistrate.

Several Philadelphia editions quickly followed the initial London edition, but there was only one more London edition in 1846 before the author's sudden death in 1856.

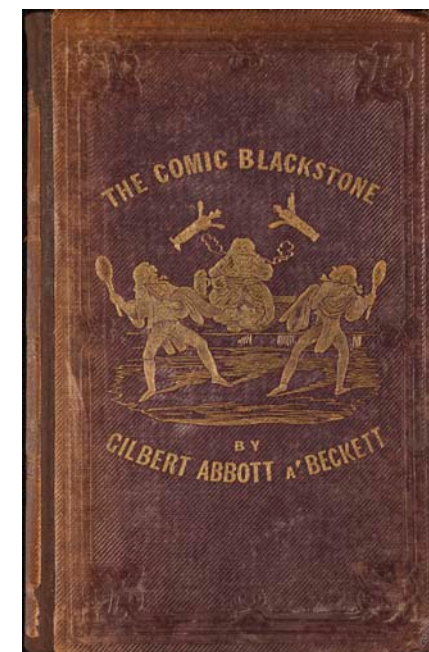
The Comic Blackstone is essentially a burlesque or gentle parody of the original. Thus Section I, "On the Study of the Law," begins: "Every gentleman ought to know a little of the law, says Coke, and perhaps, say we, the less the better." While this brand of humor may strike modern readers as excessively arch – it is undoubtedly labored, with much punning and word-play – the finely detailed and characteristically ingenious illustrations by the talented George Cruikshank still repay close study.



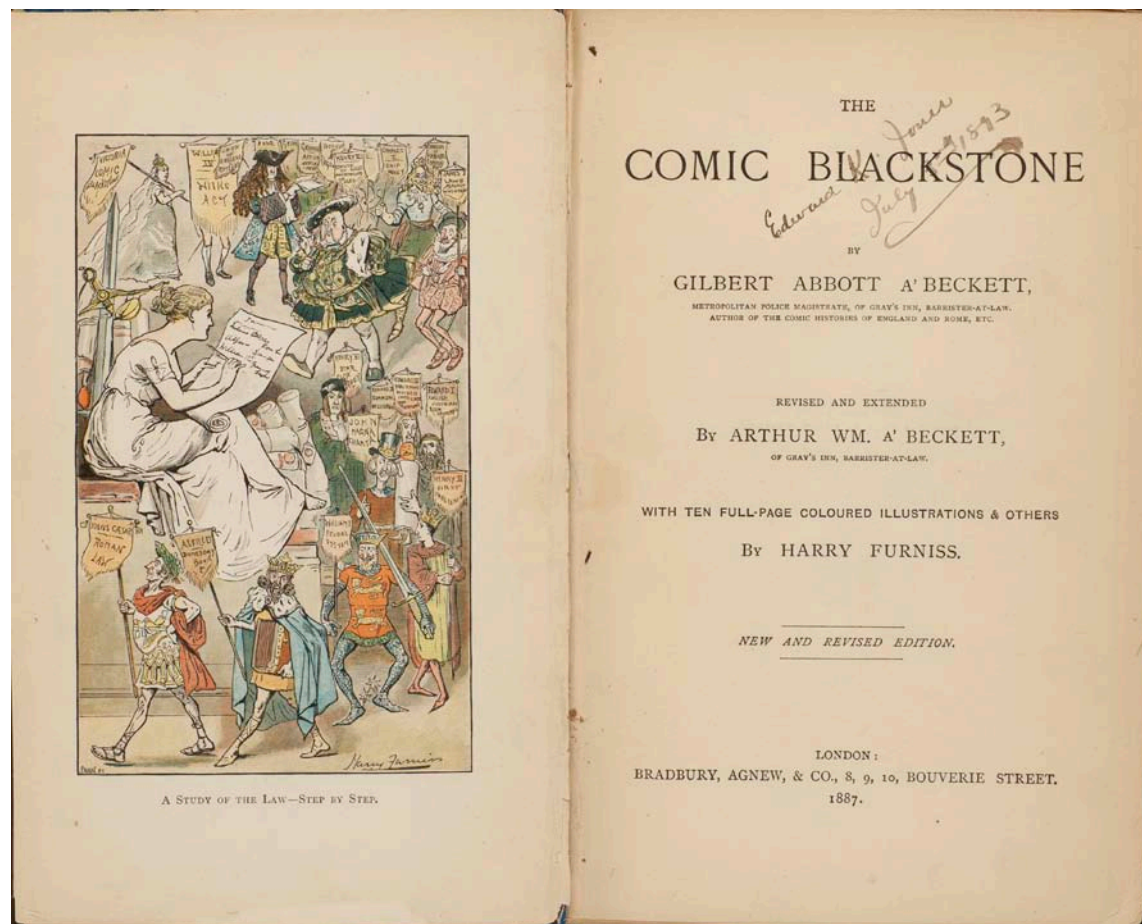
Gilbert Abbott À Beckett. *The Comic Blackstone*. London: Published at the Punch Office, 1844-1846. Illustrated by George Cruikshank. Volume 1 (1844) of 2.



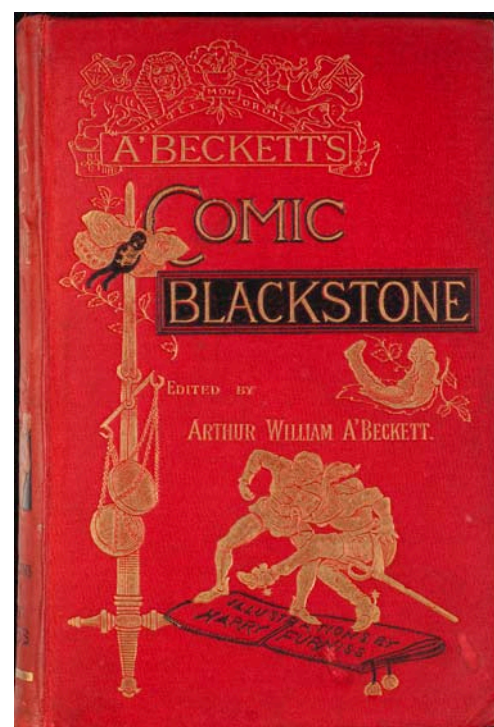
Gilbert Abbott À Beckett. *The Comic Blackstone*. Philadelphia: Carey and Hart, 1844. Illustrated by George Cruikshank.



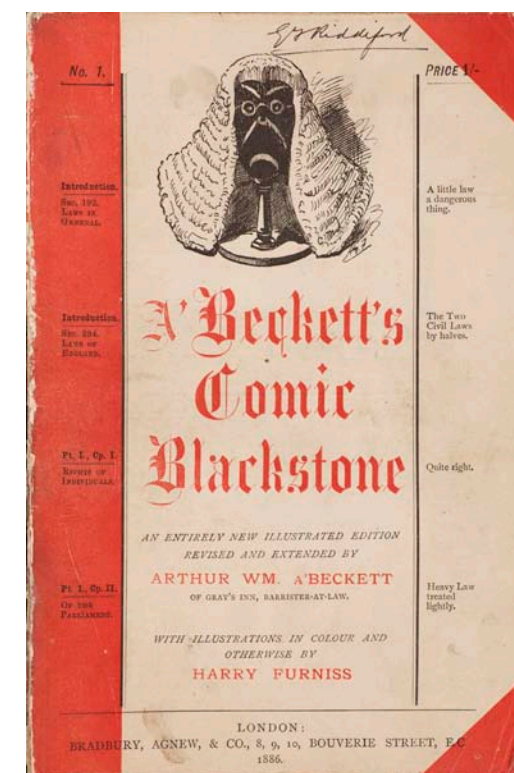
Gilbert Abbott À Beckett. *The Comic Blackstone*. London: Published at the Punch Office, 1846. Illustrated by George Cruikshank.



Gilbert Abbott À Beckett. *The Comic Blackstone*. London: Bradbury, Agnew, & Co., 1887. “Revised and extended by Arthur Wm. A’Beckett.” Illustrated by Harry Furniss.



Gilbert À Beckett’s third son Arthur À Beckett (1844-1909) followed in his father’s journalistic footsteps, and was also called to the bar, although he never practiced. In 1886 Arthur published an updated edition in nine parts, taking account of changes made by the Judicature Acts of the 1870s, with new colored illustrations by Harry Furniss, who like Arthur was closely associated with *Punch*. It was issued as a complete volume in 1887, in choice of red or blue stamped cloth. The last recorded reissue of *The Comic Blackstone* was in 2007.



Gilbert Abbott À Beckett. *The Comic Blackstone*. London: Bradbury, Agnew, & Co., 1886-1887. In nine parts with original printed wrappers. “Revised and extended by Arthur Wm. A’Beckett.” Illustrated by Harry Furniss.

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